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SUMMARY OF NEWS.

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Politics of Europe.

The Report of yesterday being again blank, we occupy our European Sheets with Extracts from the Papers already in our possession, and in conformity to the system which has always been followed in the JOURNAL, and which we purpose constantly to act up to, we continue to day the Parliamentary Debates, which in our Paper of Thursday, was brought up to the 24th of July, in order that the whole may be completed, before we receive accounts of the opening of the new Parliament. Those who deem these Debates uninteresting, may find their taste suited in our other extracts from the late English Papers, the contents of which are yet far from being exhausted.

In our Asiatic Sheets we have given Selections from the Papers of the Sister Presidencies, besides some original contributions; and a report of the Trial in the Supreme Court, of a Private Soldier on a charge of Murder.

Mr. Fawkes's Reform Pamphlet.—It is now about a month since Mr. Fawkes, and the Yorkshire Reformers, assembled in great numbers at York, at a meeting convened to consider the question of Parliamentary Reform, and to adopt some practical means of attaining that most desirable object. As friend of this Parliamentary Reform, and entertaining a most anxious expectation that the time is arriving when something may and will be done, we shall now make some observations upon the speech of Mr. Fawkes. We are the more induced to do so, as this speech is published and circulated with great zeal by the friends and advocates of Reform,—and as we believe Mr. Fawkes to be both sincere and direct in his purpose. Again, and again, we say, that the great obstacle to Reform is in the Whig Aristocracy, and not in his Majesty's Government. At the time of the Irish Union, when a kind of appraisal was made of the Irish Boroughs and of Whig influence in Ireland, and when it became necessary for Government to purchase these boroughs and this influence,—the demands of the Irish proprietors were so enormous as almost to have defeated even the powers of the national purse, and to have excited the indignant astonishment of the Minister employed in that transaction, and that Minister the late Lord Londonderry. We are perfectly persuaded, that if Ministers should now come down with a proposal to sacrifice all the Treasury Boroughs, such proposal would meet no other reception from the Whig party, than the expression of a hope upon their part, that however the Ministers might choose to dispose of their own property, they would respect the vested interests of private proprietors; in other words, that they would spare the Whig Boroughs, although they might give up the Treasury seats.

We have, indeed, often wished for an opportunity to state one important fact upon this subject, and we now gladly avail ourselves of this opportunity.—The fact is this: that three out of every four of these boroughs belong to the great Whig Aristocracy; and that however these Whig noblemen and gentlemen may talk and even write upon Parliamentary Reform, they are all united in one purpose of not sacrificing their own boroughs. It is a known anecdote of the late Mr. Sheridan, that he advised his friends always to vote for all general resolution of Reform, and against all particular plans. This, in truth, is the policy of the whole party. For the purpose of harassing the Ministry, and

catching the favour of the people, the Whigs will always be found acting in favour of any resolutions asserting the necessity of Reform. But let the measure be commenced in practice, and the real obstacle, will be found in this Aristocracy.

We do not here speak without a direct knowledge of our subject. Some time since, a collection of papers was before us, which contained a kind of narrative, and the original documents of an early negotiation of Mr. Pitt with some of the Whig Lords upon this subject. We do not now remember the particulars with sufficient exactness to repeat them in writing, but we remember that their substance was, that Mr. Pitt found the difficulties to be such as exceeded even his courage and ability to encounter. When Jugurtha saw the city of Rome from an eminence, "Alas," said he, "that I have not enough to buy thee!" Mr. Pitt's feelings, if not his language, were, we believe, of the same nature, when, in the course of this negotiation, he discovered what must be the price of Reform.

Such have been our reflections upon Mr. Fawkes's expectation,—that the Whigs, Lord Thanet, &c. will concur with him in his efforts to obtain Parliamentary Reform. We say once for all, that not one great Whig proprietor will assist him in this national object; but, on the other hand, that one and all will unite to defeat every practical plan.

But whilst we agree with Mr. Fawkes in his general zeal for Reform, and whilst we think with him, that the time is now arrived for making a beginning, we very much doubt the wisdom and the patriotism of Mr. Fawkes's invidious exhibition of the monthly, weekly, and daily amount of the National Debt. To say the truth, the debt is large enough in all conscience; but where is the use of thus holding it up to the eyes of the people? Does Mr. Fawkes think that it ought not to be paid? He states in express words that he entertains no such opinion; but agrees with every honest man, that we should pay the dividends so long as we can pay any thing. Then where is the policy of rendering our duty invidious? Those who lent the money, of which the debt is composed, have nothing to say to the mode and manner for which it was borrowed, or in which it has been expended: it has changed hands almost as much as any estate since the Revolution. However expended, or however borrowed, it is now owed as money lent upon the faith of the nation; and there is no longer an equal protection of property by the Government, when any distinction is admitted between the titles of land and the title of the dividends. We, for one, should deem no allegiance due to a King or Government which should begin by robbing us. We should say, that neither ourselves nor our fathers contracted with you in *parte fœdera*. We agreed to the Government for equal protection, and not for this particular robbery.—We deem ourselves absolved from all faith therein, and our conduct will hereafter be regulated only by prudential considerations.

Such, indeed, would not only be the feelings, but would become the conduct of the great majority of the people, should any measure, so atrocious as a compulsory cancellation of the debt, be attempted. The truth, however, is, that we fear nothing of the kind,—we implicitly confide in the characteristic honesty of the nation and the Government. We have mentioned the subject, only, lest the cause of Reform should suffer by being

mixed up with these wild and revolutionary principles; for we do not hesitate to say, that Reform would lose nine out of ten of its sincere and sober advocates, if it were once deemed inseparable from such principles.

To say all in a word, the Reform we want is such as would restore the Government to the principles of the Revolution in 1688,—namely, to a House of Commons elected by the freeholders of the kingdom, with a due regard, however, to the natural and salutary influence of great proprietors.

Explosion of a Steam Boiler.—On Thursday morning, at eleven o'clock, an inquest was held in the Committee-room of Camberwell workhouse, before C. Jemmett, Esq. Coroner for Surrey, on the bodies of John Denford, Samuel Buckleridge, young men, who met their deaths at Messrs. Cleaver and Yardley's glue manufactory, Wells-street, Camberwell, in consequence of the explosion of a steam boiler.

The first witness examined was John Sparks, a young man residing in Bowyer-lane, Camberwell, who stated that on Tuesday last, about five o'clock in the afternoon, he was employed in the manufactory of Messrs. Cleaver and Yardley, in Well street, Camberwell, with the deceased. They were at work at a steam boiler. Witness was at the fire in order to supply it with the necessary fuel, when one of the deceased (Denford) was coming into the manufactory from the yard attached to it; Buckleridge was near to the boiler, and neither of them was more than six yards therefrom. The boiler was at the time charged, and they had the steam at work at 36 lbs upon the square inch, which was much under what the boiler was supposed to contain. This was the first day of trying it, to see whether it was sound. Mr. Haughton, of the firm of Haughton and Fraser, who had lately repaired the machine, was present to superintend the trial, with Buckleridge, who was his foreman. Mr. Haughton wished the boiler to be tried at 40, and witness was putting some fuel on the fire in order to raise it to that pressure; on doing which, he felt the ground shake under him while he was at the front of the furnace; being very much alarmed, he attempted to run away, and at the moment the rafters and joists gave way and fell on him, which knocked him down, when he heard a great explosion—which appeared to witness like the shooting of cart loads of heavy stones. Thomas Denham, the engineer's man, was standing on an erection above witness, and he together with the floor, came down in consequence of the shock, and fell upon witness. At this period the whole of the building was falling down, and the upper part of the boiler was blown about 120 feet in the air, leaving the bottom in its original situation. On recovering himself, he endeavoured to creep from under the rubbish which surrounded him, and he proceeded with Denham, to the assistance of those who were more perilously situated. On getting into the yard, they heard the groans of Mr. Haughton, the engine-maker, who was buried under a mass of bricks, timber and rubbish. They went to his assistance, and succeeded in getting him from under the ruins. Buckleridge, just before the explosion took place, said that he would stand near the place even if it was at 60 degrees—he was killed on the spot. Witness had worked at steam engines before, and this was made in the same way as others were made. He did not see any of the deceased until they were taken out of the ruins. The force of the steam and water dashed Denford against the corner of the wall, and he was severely scalded. Buckleridge was quite dead; but Denford heaved a very heavy sigh, and died almost immediately. The weight of the boiler was estimated at about four tons. It was never sound; it had a leakage and was repaired, but was afterwards unsound, on which a new bottom was put to it.

A juryman asked, whether the bottom was not rivetted on a new plan?

Witness answered that it was rivetted in the same way as others, but it was all the new work that gave way. They had the valves fixed at a certain pressure, and occasionally they were relieved. Witness used his own discretion in the supply of fuel to the fire. In the whole, five persons were injured beside the deceased, and so seriously that they were carried to the Hospital without hope of recovery.

Mr. Charles Yardley, of the firm of Cleaver and Yardley, glue manufacturers, of Wells-street, Camberwell, was next sworn. Mr. Yardley appeared to be very much injured in consequence of the melancholy accident; his head was bound up with a handkerchief, &c. and since the accident he has been under the care of Mr. Brown, surgeon, of Camberwell. Being sworn, he stated that on the day of the accident he was at the manufactory, viewing the operation. He was standing near the boiler when it burst. Witness at first heard the noise, but he did not consider it of serious consequence, until a mass of bricks fell on him, then he anticipated all the consequences which arose from the accident. He was about six yards from the machine when bricks commenced falling on him, and he was obliged to run to save his life. Mr. Haughton was present when they were trying the boiler; he heard a dashing inside, which he thought was the steam. He ran to the extremity of the yard, and on turning round he perceived the whole of the building falling down. The pressure of the engine was from 35 to 38, but was guaranteed to hold 60 lbs. on the square inch. Witness heard the groans of Mr. Haughton and saw him when taken out of the ruins. The deceased, Denford, witnesses foreman, and Buckleridge was in the employ of Mr. Haughton, who warranted the boiler to hold 150 lbs. on the square inch when it was brought from Birmingham. It had been altered twice.

Mr. Brown, surgeon, of Camberwell, stated that he was called to attend the deceased at the workhouse immediately after the accident; Denford evidently died through suffocation from steam and dust, Buckleridge through a dreadful fracture on the skull.

The Jury, after a short consultation, returned a verdict of—*Accidental death, occasioned by the bursting of a steam boiler.*—*Bell's Weekly Messenger, September 22.*

East India Warehouses.—On Thursday Sept. 12) a question of importance to the City Carmen, and of interest to the tradesmen in the vicinity of the East India warehouses, came on before the Lord Mayor. It was a question whether the merchants having business at the East India Company's warehouses, at the tobacco warehouses, and all those warehouses in that part of the city, should or should not be compelled to hire the carts in rotation as they stood on the stand. The fate of an immense number of small carmen is involved in the decision of this question, for if merchants are to employ whom they please, the opulent and responsible cart owners are sure to monopolize the work. A carman of the latter body was charged with having obstructed the Company's servants in their duty, and created a disturbance. The Lord Mayor stated, that the Act of the 30th of George III. which was the Act for the Regulation of Carmen, gave no such privilege as had been spoken of, except with regard to the wharfs in Thames-street, and that merchants were at liberty to hire whom they pleased. A poor carman asked, after having heard this decision, of what use his fellowship license, for which he had a short time ago given 125s. was now to be to him?

Mansion-House.—Feroocious Assault.—Margaret Daly, a masculine female from the sister country, was brought before the Lord Mayor, charged with having attempted to bite a man's nose off—an attempt in which she very nearly succeeded. The poor man, whose name is Purdon, and who is between 60 and 70 years of age stated that he went into a public house with a couple of friends to drink a little porter. They had not been seated long, when the prisoner, who had been drinking with some pavers at the bar, approached him and took a sudden dislike to his appearance, which dislike she testified by calling him a most opprobrious name. He told her she was an Irish faggot to call him so much out of his character, but he little expected the chastisement he was to receive for the liberty he took in his reply to her. Scarcely were the words out of his mouth, when she ran over to him, threw her arms round his neck, and seized his nose with her teeth. He cried out and endeavoured to extricate himself, but she had the strength as well as fierceness of a tiger, and had not some men ran to his assistance, he must inevitably have lost his nose. The poor old man's speech was evidently injured by the desperate violence with

which he had been treated by the ferocious creature at the bar. One of the men who were the means of saving the nose, after having confirmed this account of the brutal transaction, stated that he (witness) endeavoured to force away the prisoner by interpassing his arm between her and the complainant, but her strength rendered his effort totally useless, and the nose would certainly have come off if the landlord had not seized her by the throat, and actually choked her, as one would choke a bull-dog, off its hold. The woman was very much in liquor at the time, but she had her strength to the last, and ably opposed those who were called in to convey her to the Justice-room. She had been brought up on the day the assault was committed, but the Lord Mayor sent her to the Compter, to recover from the effects of the copious draughts she had taken. On being placed at the bar on Tuesday, she declared she had been abused by the complainant, but she had no recollection of the vengeance she had taken. The Lord Mayor desired that the barbarous creature should be committed to prison in default of bail, observing, that she resembled but few of her countrywomen, or, indeed, of the women of any nation. An Irishman who had witnessed the scene suggested that all the prisoner's front teeth should be drawn. He was sure that as soon as she was let loose, her countrywomen would punish her for her cruelty.—*The prisoner was then committed.*—*Bell's Messenger, Sept. 15.*

Abbey of Fonthill.—Nearly 15,000 guineas are said to have actually been received for tickets of admission to the grounds and Abbey of Fonthill, and the influx of company, it is added, continues to be so great, that it is absolutely necessary not only to bespeak beds, but horses likewise, before you attempt to arrive in the neighbourhood.

Kentish Coast Smugglers.—The Kentish coast smugglers have adopted an ingenious method of landing contraband spirits. It consists in their having small casks entirely covered with plaster of Paris, in which at indiscriminate intervals, pieces of sea weed are fastened. These are filled and placed along the chalky cliffs about Dover, and, from their close resemblance to the pieces that fall, are not easily discovered. Many persons are permitted to send carts for the conveyance of chalk to lay on the land, and from the frequent use of these vehicles, suspicion was excited of their having some other object in view. This led to a vigilant examination of the carts, when the deception was discovered, and some seizures took place.

Remarkable Circumstance.—In the stomach of an ox, the property of Mr. Banister, lately slaughtered at Windsor, was found a shoemaker's awl, inclosed in a grisly substance, and quite perfect. The animal had no appearance whatever of suffering or disease.

Deaf and Dumb Amateur.—It seems that the deaf and dumb are not excluded from the pleasures arising from music; a remarkable proof of this is related of an artist of the name of Arrowsmith, who resided some months at Winnington, about the year 1816, exercising his profession of a miniature and portrait painter. "He was," says Mr. Chippendale, of Winnick, who relates the anecdote, "quite deaf. It will scarcely be credited, that a person thus circumstanced should be fond of music; but this was the case with Mr. Arrowsmith. He was at a gentleman's glee club, of which I was president, and as the glees were sung, he would place himself near some article of wooden furniture, or a partition, door, or window shutter, and would fix the extreme ends of his finger nails, which he kept rather long, upon the edge of some projecting part of the wood, and there remain until the piece under performance was finished; all the time expressing, by the most significant gestures, the pleasure he felt in the perception of musical sounds. He was not so much pleased with a solo as with a pretty full clash of harmony; and if the music was not very good, or rather if it was not correctly performed, he would not show the slightest sensation of pleasure. But the most extraordinary circumstance in this case, is, that he was evidently most delighted with those passages in which the composer displayed his science in modulating the different keys. When such passages happened to be executed with precision, he could scarcely repress the emotion of pleasure which he received with-

in any bounds; for the delight he enjoyed seemed to border on extacy. This was expressed most remarkably at our club when he glee was sung with which we often conclude; it is by Stevens, and begins with the words 'Ye spotted snakes' In the second stanza, on the words 'Weaving spiders come not here,' there is some modulation of the kind above alluded to, and here Mr. Arrowsmith would be in raptures, such as would not be exceeded by any one who was in immediate possession of the sense of hearing."

Wily Thieves.—A few evenings ago a burglary was committed on the premises of Mr. Wood, of Lambeth, and the depredator carried off seven geese. One of the rones wrote on the door of the out-house from which the geese had been stolen—

"Johnny Wood,
Your geese are good,
Well fed and fat;
Out of eleven
We only take seven;
You may thank us for that."

Brutal Assault.—It has seldom been our lot to recount so many instances of brutal assault as have occurred within the last few months. The following took place lately. Mr. John Balfour, aged 78, is a tacksman of a small farm at Barrhead, called Dovecot-hall. Some time ago things went against him, but to secure himself and his family from utter ruin, he got the name of one of his daughters inserted in the tack. All was well and went on smoothly, till the said Miss Balfour got married to a person called Adam Wallace, a wight, who, it appeared, cared less about the woman than he did about the tack; and was always spurring his wife to take the farm from her father. Another cause of the quarrel was the old man's not giving up a cow and calf, which they insisted he had given a promise of to them, but which he declared he never did, and never thought of, as it was the only mode of subsisting him and his wife. On Wednesday (Sept. 11) affairs came to a serious conclusion. In the afternoon of that day the parties had some little spirits, but nothing of any consequence; they then adjourned homewards, but had scarcely entered the threshold of the door, when the young man began to use the most dreadful imprecations towards his father-in-law, who in a serious manner reproved him; but all his return for this advice was a most furious attack by his son-in-law, who afterwards dragged him to his own house, which is adjacent, and there seizing a poker he struck at the old man, who still being a powerful muscular man, used every effort to save himself from the deadly weapon, but he was ultimately overcome, and felled to the floor. While in this defenceless state, his antagonist, with savage ferocity, struck him in a manner shocking to humanity, inflicting 26 wounds, besides contusions on the face, arms and legs. There are 14 wounds on the left arm, four wounds on the face, the temporal bones on each side of his head being fractured, four wounds on the left leg, five wounds on the right leg, one of the bones being fractured. The neighbours immediately sent for Dr. Colquhoun, who came and found the old man lying stretched on the floor in a state of insensibility and unable to speak. His wounds were then dressed, and his leg set, and he has since continued, by the unremitting attention and skill of the above able surgeon, and the strength of his own excellent constitution, in a very favourable state, and is expected to recover. When Dr C. questioned Wallace as to the cause of the affray, he said he called the old man a Highland —, and the old man had replied by calling him a beast. The Procurator Fiscal of Paisley, immediately took a preognition of the case. Wallace and his wife have been apprehended, and lodged in Paisley gaol.—*Glasgow Paper.*

Comparison not odious.—At the house of Madame la Duchess de Maine, the company were one day amusing themselves by comparing and finding ingenious distinctions, between one object and another. "What difference," said the Duchess to the Cardinal de Polignac, "is there between me and a watch?" "Madame," replied the Cardinal, "a watch marks the hours, and you make us forget them."

Imperial Parliament.

HOUSE OF COMMONS, THURSDAY, JULY 25, 1822.

FINANCE RESOLUTIONS.

Mr. HUME, in bringing forward his resolutions, assured the house that if he had not been strongly impressed with the absolute necessity of attracting the immediate attention of Government to the subject of them, he should have abstained from addressing the house at this late period of the session. His object was to avert the ruinous consequences that he foresaw would follow from persevering in the present system, and he thought that the house would not have done its duty if it separated without gravely reconsidering the steps that had been taken. He entreated its indulgence while as shortly as possible he entered into such details as were absolutely necessary. In his resolutions he had stated his views, and as they were in the possession of members, they would be aware of the documents by which he reached the conclusions at which he had arrived. It was doubtless a bold measure on his part to impugn a system pursued for nine-and-twenty years; and that had been sanctioned by so many financiers; but as he disputed the principles on which the sinking-fund was established, and as he thought he should be able to prove that those principles were erroneous, and that the public mind, both at home and abroad, had been long led astray, he could not refrain from putting his opinions upon record. Much difficulty often arose out of not agreeing upon terms: he would therefore set out by saying that he meant by the sinking-fund a sum of money set aside by a government, or by an individual, to accumulate at compound interest, for the purpose of forming a fund to pay off incumbrances. As there would be no difference on this definition, he came to the consideration of what expectations were formed from the sinking-fund, it was obvious that Mr. Pitt, when he established it, thought that it was a plan that would effect a saving of the public expenditure greater than any other mode; and in his address to the house in 1786, he said "This plan, which I have now the honour to bring forward, has long been the wish and hope of all men, and I am proud to flatter myself that my name may be inscribed upon that firm monument now about to be raised to national faith and national prosperity." He (Mr. Hume) differed wholly from Mr. Pitt, and he would state the result of his inquiries upon the subject: it was this;—that no Government could have a sinking-fund—that it was not consistent with the principles and powers of figures that any sum of money could be supplied by a government as a sinking fund within itself: by "within itself" he meant that no state like Great Britain, taking a portion of its revenues, and operating on its own resources, could create any accumulation, or an aggregate sum, with any beneficial consequences. In pecuniary transactions no advantage could accrue to one individual, but at the loss of another; and if he considered the sinking fund as a portion of money taken from the general revenue, to accumulate whatever the sinking fund gained must be a loss to the public revenue. The hon. gent. illustrated this point by putting it as his own individual case. It was not in the power of figures, he contended, to show a gain of a single farthing by the sinking fund: on the contrary, all the expenses attendant upon it were clear loss, and the loss would be still greater if the purchases for it were not made upon equal terms, even with a surplus revenue. If however, as from 1793 to 1817, there had been no surplus, and the expenditure had exceeded the income, the injury would be of course augmented. If he showed that by the operation of the sinking fund, a debt had been created far more disadvantageous than had been redeemed during the 29 years, it might easily be perceived that a great loss had been sustained. But no individual could arrive at the real extent of that loss, except by the application of figures, and an examination of the subject year by year. He would prove that, exclusive of the loss of redeeming on worse terms than they had originally borrowed, they had been obliged to go into the market to borrow money, which was to be paid over to the commissioners of the sinking fund, and thus the loss was rendered still greater. The rate of money, like every thing else, depended on the demand and supply; and instead of borrowing 600,000,000l. they had confined themselves to 300,000,000l. they would have procured the loans on better terms, and saved a great body of expense. The house, long ere this, ought to have taken the subject into their serious consideration, and averted the ruinous consequences that had occurred. It was not alone by borrowing from the sinking fund, by which they lost so much, and incurred so large a debt, that the country suffered: another monstrous evil was the ruinous system on which they set out—that of borrowing, generally, instead of taking the supply of the year within the year. The house would be surprised to find, by a reference to his resolutions, that during the course of the whole 29 years, keeping out of view the charges for new debt, and providing for the civil list, the military and naval service, and every other necessary expense, supposing that no increase of debt was made by borrowing, and that the supplies were raised within the year, 5,000,000l. per ann. would have been sufficient to support the state of warfare in which the country

was placed, and to have supported the whole establishment of the kingdom. Had such a plan been pursued, the situation of the country would have been very different: and he must regret that wiser measures had not been pursued, although it was now impossible to recall the consequences which had flowed from an erroneous system. If the course to which he alluded had been adopted, the interest of the national debt would have been between 7,000,000l. and 8,000,000l., instead of 32,000,000l., to which it now amounted. The whole expense of the state for these 29 years might have been covered by 133,000,000l., without a sinking fund. Since he had drawn up his resolutions he had received from the Treasury an account of the expenditure of the first six years after 1793. It was, perhaps, known by those who attended to the finance of the country, that a paper was laid on their table, in 1815, which stated that no accounts had been made up of the actual expenditure from 1793 to 1797. He, in forming his resolutions, was obliged to have recourse to all the printed accounts he could procure, and to the manuscript accounts in the Journal office, except from 1793 to 1797, for which period no documents whatever could be procured. He therefore had assumed for those years, the amount raised by taxes and loans, which was about 150,000,000l. Since his resolutions were printed, he had received the accounts, for those three years from the Treasury, and they were drawn up so clearly and distinctly, that he had no doubt of their correctness. From these returns it appeared that he had allowed 15,000,000l. more for the expense of those three years than he ought to have done. If, therefore, that sum were deducted from 138,000,000l. it would leave 123,000,000l. as the sum that would have covered the expense from 1793 to 1822, if the system of borrowing had not been acted on. He had in the first resolution, assumed the capital of the debt on the 5th of January, 1793, to be 239,350,148l. This he did to accommodate those who were in the habit of talking of the capital of the debt. He did not himself consider the amount of the capital of the smallest consequence. He looked to the charge, whether of a terminable or interminable nature. He observed one or two typographical errors in his resolutions. In the 35th resolution, instead of the total amount of debt on the 5th of January, 1817, it ought to be on the 5th of January, 1822; and, at the bottom of page 37, the whole line of figures was wrong. The sum ought to be 59,312,164l. He had divided the 29 years into two periods—the first from 1793 to 1817; the second, from 1817 to 1822. He had done so, because during the whole of the first period there was an excess of expenditure over income; and during the latter, from the union of the two Exchequers, there was an excess of income over expenditure. Between 1793 and 1817, they had increased their debt, funded and unfunded, to the amount of 611,000,000l. Of that sum there was raised by loan, and the funding of navy, victualling, transport, and Exchequer bills, 581,874,557l.; and on account of the sum so raised, there was paid into the Treasury 579,791,388l.; leaving a deficit between the sum funded and the receipt of each of no less than 5,083,169l. That amount never reached the Treasury, although from the very day on which the funding took place, the stock created bore interest which the public were obliged to pay. There was also another loss, not included in the resolutions—namely, the loss occasioned by paying dividends before the instalments were paid up. There was more over, a second loss, by what were termed anticipatory payments. Thus, if a loan were contracted for in March, the bargain might be so made, that individuals would receive the whole amount of their dividend from the preceding January, or from the first of the month when the bargain was entered into. He had charged all the interest on dividends paid before the instalments were made, and he had deducted that interest from the actual instalments themselves. The difference was the bonus given to the contractors. Calculating that difference annually, at the compound interest which the loan bore, he found the bonus, on an average, to be about 5 per cent. So that the loss to the public by bonuses, and by the interest paid on them, was about 34,000,000l. This was an item that had been kept out of view in all former financial statements, and he had not introduced it in his resolutions. Neither had he inserted another loss which the public had sustained by the exemption from the income tax of the first dividends on all loans. This was a bonus to the contractor, and a loss to the public; because the income tax if charged on the first dividend, would have gone into the Treasury for the current service of the year. He had in preparation, and he hoped he should be able to produce it when the house met again, a statement marking the financial transactions of each year from 1793 separately, pointing out the application of the money raised, and stating the gain or loss, and the amount of interest, up to the period when the account was settled. These calculations would bear him out in his statement, that during a period of 29 years, the public had sustained a loss of capital equal to 38,800,000l. by the mode in which money was paid over. He did not produce the calculations contained in his resolutions merely on his own authority: he had availed himself of the assistance of persons who had devoted their time and labour gratuitously in furthering the object he had in view. He was particularly indebted to a gentleman in the name of M. shun, who had devoted days and months to these calculations. But though that individual was a most excellent accountant, he had every one of those statements checked by other persons,

PARLIAMENTARY.

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in order that his resolutions might be as perfect as possible. The 4th resolution was one of considerable importance; it showed that for the sum of 879,791,385l. of money, received and accounted for, as before stated, from the 1st of February, 1793, to the 5th of January, 1817, or the first period, there had been created capital in stocks of various denominations, to the amount of 876,289,943l., at an annual charge for interest in perpetuity to the amount of 29,239,663l.; and of 230,000l. of annuities from May, 1795, to May, 1810; and of 654,695l. annuities from various dates, all terminable in 1860, making a total annual charge of interests and annuities of 30,174,363l. (exclusive of about 160,000l. per annum for management), which sum of 30,174,363l. equal to 80,040,440l. in perpetuity, converted into a 3 per cent. capital, was equal to 1,001,348,166l., bearing at the rate of 172l. 14s. of 3 per cent. capital for every 100l. of the 879,791,385l. money received, or 100l. 3 per cent. capital for every 57l. 18s. in money. It would be seen by the 5th resolution, that if the conversion of the 4 and 5 per cent. capitals was made at the average relative prices they bore to 3 per cents. at the time they were funded, the total amount in 3 per cent. capital would be 975,784,592l., instead of 1,001,348,166l. The 40,982,119l. of 4 per cents. were funded at an average of 100l. capital for 82l. money, the relative current value of the 3 per cents. being 67l., which gave of 3 per cents. 261,172,133

The 120,567,471l. of 5 per cents. were funded at an average of 100l. capital for 90l. money: the relative current value of the 3 per cents. being 60l., which gave of per cents. ... 180,836,206

The amount of 3 per cents. funded 708,750,353

The 884,695l. of terminable annuities, reduced into a perpetual annuity of 750,777l., equal to 3 per cent. capital, .25,025,900

Total 3 per cent. capital..... 675,784,592

making a difference of 226,563,574 of 3 per cent. capital, which was an equivalent for paying a higher rate of interest on the 4 and 5 per cents. than in the 3 per cents.; and there has been paid on the total amount of the 4 and 5 per cents. funded, an annual sum increasing to 766,907l. per annum on the 5th of January, 1816, which in 14 years, at 5 per cent. was equivalent to the difference of capital created in funding in the 4 and 5 per cents., instead of in the 3 per cents.. To simplify this, it was only necessary to remark, that, taking the average of the 5 per cents. at the time they were funded, for 90l., an individual would receive 100l. 6 per cents.; but if he vested his money in the 3 per cents., he would, for 90l., receive 150l. in that stock, bearing an interest of 4l. 10s., being a difference of 10s.; which 10s., if suffered to accumulate for thirty seven years, would amount to a sum sufficient to pay off the 3 per cents. at par. The conclusion was, that if they borrowed 5 per cents., and continued to pay longer than thirty seven years, they suffered a disadvantage to the extent to which they proceeded beyond that term; but if they paid them off before the end of that period, they gained in proportion to the number of years that remained unexpired. He introduced this merely as an expeditious way to meet any objection that might be urged against him for not having met the subject fairly. The sixth resolution showed, that during the 24 years from the 1st of February, 1793, to the 5th of Jan. 1817, in which the before stated 879,791,385l. was received and accounted for, there was paid to the commissioners of the sinking fund, in money, the sum of 188,522,340l.; and the expense of their office during that period was 62,699l., making the amount paid to the commissioners 188,585,039l., in money, by raising which an annual charge in perpetuity of 9,771,063l. was created, equal to 325,702,116l. of 3 per cent. capital. It was clearly proved that this money was borrowed to be given to the commissioners; and borrowed at the rate of 5l. 3s. 7d. interest per cent. If they had redeemed annuity equal to 5l. 3s. 7d. per cent., no loss would have been sustained except for discount and charge of management. But it appeared from parliamentary papers, that the commissioners redeemed with this money a much smaller quantity of stock than had been created to procure it, so that there was an actual loss to the public of 609,000l. they had redeemed a stock bearing an interest of 4l. 17s. 2d., whilst the money was borrowed for their use at an interest of 5l. 3s. 7d. The 7th and 8th resolution proved the truth of this statement. From them it was manifest, that with this 188,585,039l. the commissioners had purchased capitals of various denominations, to the amount of 392,911,955l. the annual dividends of which were 9,169,233l., which sum, converted into a 3 per cent. capital, was equal to 305,907,766l., being at the rate of 162l. 1s. of 3 per cent. capital for every 100l. of the 188,585,039l. money paid to the commissioners, or 100l. of 3 per cent. capital for every 61l. 14s. in money. Now the amount of annual charge created in perpetuity, by raising the 188,585,039l. money, was 9,771,063l., whilst the annual charge redeemed by the commissioners of the sinking fund with that amount was only 9,169,233l., being 602,830l. of annual charge in perpetuity less redeemed than created, equal to 20,094,333l. of 3 per cent. capital; showing that the debt was created between 1793 and 1817, at the rate of 172l. 14s. of 3 per cent. capital for every 100l. in cash, and that

amount redeemed in the same time was at the rate of 192l. 1s. of 3 per cent. capital for every 100l. cash, being a loss of 101. 13s. of 3 per cent. capital on every 100l. of money expended by the commissioners. In the 9th resolution, he had brought under one head all the sums of money that had fallen in as applicable to the reduction of the national debt, and which would have fallen in had there been no sinking fund. Taking the various items mentioned in that resolution together, together with the charges of management on the capitals cancelled, and the result was, a total diminution in the annual charge, under the several heads enumerated, of 1,538,365l.; but as 225,254l. of life annuities were created by the extinction of the 3,449,995l. of 3 per cent. capitals under the act 58 Geo. III. c. 142, the actual diminution of annual charge for the year 1817, would have been 1,313,111l., if there had been no sinking fund. This, in his opinion, closed the first period, with regard to the operation of the sinking fund. The 10th resolution stated, 5th January, 1793, and the 5th of January 1817, from taxes alone, including the small branches of hereditary revenue and incidental resources, and excluding loans, amounted to the sum of 1,114,318,563l. sterling. The expenditure for the same period was set forth in the 11th resolution to have been 1,240,186,963l. But as the sum of 3,711,706l. was charged in the miscellaneous expenditure, although short credited by the Treasury in the receipt of the loans and 786,698l. the principal of debentures, received in 1813, and not credited in the amount of income in the 10th resolution, the actual expenditure was reduced to 1,235,982,479l. Therefore, as the revenue of Great Britain, during this period of twenty four years, was 1,114,318,563l. and the actual expenditure 1,235,982,479l., the excess of expenditure over income was 121,663,916l. Now, in addition to the expenditure of 1,235,982,479l. for Great Britain, there was remitted from England to Ireland from January, 1797, to January, 1817, the sum of 68,930,895l., making the total expenditure for Great Britain 1,304,913,374l.; and besides the revenue of Great Britain, amounting to 1,114,318,563l., there was received from Ireland the sum of 52,245,471l., which made (exclusive of loans) the total income of Great Britain 1,166,564,034l.; and by the addition of 16,635,124l., being the difference between the sums remitted to and from Ireland, gave a total excess of expenditure over income of 138,349,040l. The 14th resolution proved, that if the excess of expenditure to which he had just adverted had been met by taxes raised within the year, instead of loans the total amount of capital of debt redeemed on the 5th of January, 1817, would have been only 207,706,533l. and the annual charge, including management, only 7,800,863l., instead of being 817,415,237l. of capital, and 30,628,234l. of annual charge, as it stood on the 5th of January, 1817. This enormous burden the public were obliged to bear, in consequence of the supplies not being raised within the year. His 15th resolution showed the increase of debt which had been occasioned by not raising the supplies within the year. In consequence of not raising by taxes during the 24 years an annual average sum of 5,761,543l., which would have covered the whole expenditure, a debt of 609,783,703l. of capital had been incurred, at an increased annual charge of 29,737,371l., thereby occasioning taxation to the extent of upwards of 58,000,000l. per annum, whilst from the 5th of January, 1817, about 33,000,000l. only would have been amply sufficient. In the 16th resolution he adverted to the additional annual charge which the union of the Exchequers of Ireland and England had imposed upon Great Britain. The total amount of the funded and unfunded debt of Ireland was 18,739,860l., and the charge 1,393,775l. which made the whole debt, funded and unfunded, of the united kingdom, on the 5th of January, 1817, to amount to 846,155,106l., and the annual charge to 31,952,009l. He had now travelled through the debt from 1793 to 1817, during which period he contended they ought not to have had recourse to loans. Had they raised the necessary supplies by taxes within the year, there would have been a surplus of income above expenditure. He now came to the second period, from January, 1817, to January, 1822. It appeared by the 17th resolution, that during these five years, there was raised, by taxes in the United Kingdom of Great Britain and Ireland, the sum of 206,454,538l.; and the whole expenditure during the same period amounted to 288,925,669l., leaving an excess of income over expenditure, in the five years, of 7,538,609l. 14s. the operation of the sinking fund being left wholly out of view. He now came to the most extraordinary part of the transaction which was, that though they had a surplus income, yet they had borrowed no less a sum than 90,761,091l., at the rate of 4l. 3s. 3d. per cent, which he admitted, after the termination of so very long and expensive a war, was a very low rate of interest. This further funding of 90,009,000l. was fully explained in the 18th resolution. The purpose for which this money was raised by loan was set forth in the 19th resolution; from which it appeared, that of 90,562,835l. to procure which 3,773,354l. new annuities were created, 82,021,531l. had been paid to the commissioners of the sinking fund, besides which, the expense of their office from January, 1817, to January, 1822, amounted to 32,203l., making a total of 82,053,738l., which had been paid to them within that time. With the money thus provided they had, as was stated in the 20th resolution, redeemed dividends or annuities in perpetuity to the amount of 3,389,857l., equal to 11,295,232l. of 3 per cent. capital, which by bor-

rowing the sum of 82,000,000l. that had been placed in their hands, there were created capitals equal to 113,960,693l. of 3 per cent. at an annual charge in perpetuity of 3,418,818l.; thus occasioning by the operations of the sinking fund a loss of 79,961l. of perpetual annuity, equal to 2,665,376l. of 3 per cent. capital. His 21st resolution stated the total sum funded in Great Britain in the 29 years, from the 5th January, 1793, to the 5th January, 1822, to have been 675,630,477l.; that the total sum received in money, and accounted for, was 570,354,223l., at an annual aggregate charge of 33,813,799l., being an average of 31.0s 10d. per cent. In the 22d resolution, he adverted to the sinking fund. The total sum paid to the commissioners during the period of 29 years, amounted to 270,543,895l., and the expenses of their office during the same period were 91,901l., making a total charge in money paid to them of 270,638,796l., by raising of which an annual charge in perpetuity of 13,651,477l., was created. The 23d resolution pointed out what the commissioners had effected with this sum of 270,638,796l. They had, it appeared, purchased capital to the amount of 413,402,297l., the annual dividends on which were 12,507,090l., which sum, converted into a 3 per cent. capital, is equal to 416,903,000l. The 24th resolution showed that there was an aggregate loss on these purchases of 1,144,357l. annual charge, in perpetuity, being the amount of the sum less redeemed than created, which was equal to a capital of 38,145,262l. 3 per cent. This was a lamentable result, and deserved more than ordinary consideration. The 25th resolution showed that from January, 1817, to January, 1822, a reduction of capital to the amount of 5,598,497l., and of charge to the amount of 212,223l., took place, by means of the unclaimed dividends, &c. which reduction must have taken place if no sinking fund had existed. This resolution was similar to the 9th, only that the latter referred to the first period from 1793 to 1817. The 26th Resolution referred to the reduction of the unfunded debt, from January, 1817, to January, 1822. In the former period the unfunded debt of the United Kingdom in Exchequer and Treasury bills was 49,954,945l. In the latter period it was 32,671,731l., showing an apparent reduction of 17,283,184l.; but as the excess of income in these five years amounted to 7,328,870l., and the deficiency of the consolidated fund was on the 5th of January, 1822, 8,232,453l., amounting together to 15,761,323l., it left only an apparent reduction of 1,521,856l. to meet the increase in the annual charge of the funded debt of 356,153l., equal to 11,871,766l. in 3 per cent. capital. The whole of these arrears and deficiencies occurred since 1817; and to meet this part of the debt they were now obliged to issue Exchequer bills. He came now to resolutions of deduction, which he knew were open to cavil and objection because they were matter of opinion, and might be affected as particular events did or did not take place. The 27th resolution might, however, be taken as founded on the preceding facts, since it showed, conclusively that no reduction of the debt was affected thereby; because, as the expenditure in each year exceeded the income derived from taxes, the money applied by the commissioners of the sinking fund must have been first borrowed. Now, as it had proved that 100l. of 3 per cent. capital was created for every 57l. 18s. of money borrowed, whilst the commissioners, on an average of that period, paid 61l. 14s. money for every 100l. of 3 per cent. capital redeemed, it appeared that the public paid 5l. 3s. 7½d. per cent. for all the money borrowed in that period, whilst the commissioners of the sinking fund had been receiving only 4l. 17s. 2½d. making a loss of 6s. 4½d. per cent. upon the whole amount expended by them during that period; exclusive of large bonuses, by payments of dividends, and by exemptions from the income tax thereon; before all the instalments on the several loans were paid up. The 28th and 29th were two important resolutions, and strongly enforced the principle which he wished to support. The first of these showed that, by the system of borrowing that had been pursued, the sum of 479,814,817l. had been incurred in a debt during the period of 23 years on the sum of 138,349,040l. in the proportion of 291,226,770l. for interest, annuities, and charges, and 183,585,038l. paid to the commissioners of the sinking fund. The second argued and demonstrated that the system of borrowing during the 24 years, created a necessity for borrowing, progressively increased in proportion to the sum borrowed; and consequently, by having first borrowed the sum of 183,585,038l. for the commissioners of the sinking fund, it has entailed a burden in perpetuity, considerably exceeding the 602,850l. of annual charge incurred by purchasing stock on worse terms than those at which it was created during that period. It was not perhaps known, that till the year 1817, the people were not called upon to pay the interest of any of the loans that had been made. The thing had been done in this way: When a loan of 32,000,000l. was made, the minister borrowed money, in the next year, to pay the interest; and this Government went on, year after year, borrowing to pay the interest of the preceding year's loan. Thus the difficulty of collecting the supplies within the year was obviated; loans were persisted in, and the present distress was caused by their being now called on to pay the interest of the money they had borrowed. In 1815, the income by loan was 100,000,000l.; in 1817, it was 55,000,000l.; and the payment of the interest on the debt created up to the latter period, was now remanded. The great effect this had on the money concerns of the country, the price of every thing having been materially changed, and the whole system of the country altered, the prevailing

distress was the natural consequence. Up to 1817 the interest was paid by loans, but it now fell on the taxes of the country. The reduction of taxes was from 73 to 53; but the reduction of income from loans was from 128 to 70. The unfortunate day of reckoning must come—it had come—and it had brought with it the ruinous distress under which they now suffered. The hon. gentleman then proceeded to point out the mischief which was occasioned by a nominal sinking fund. If that system had not been pursued, about 360,000,000l. would have been sufficed to have been funded, instead of 534,874,557l. as was unfortunately the case. Had they gone into the market, and borrowed 360,300l. instead of 534,000,000l., it was fair to conclude that the rate of interest at which the lesser amount might have been obtained would have been considerably lower; and taking it only at the rate of one half per cent. lower, it would have made a difference of 1,800,000l. per annum; and if taken at three quarters per cent. lower, it would have made a difference of 5,133,310l., equal to 171,110,333l. of 3 per cent. capital, and consequently have left the annual charge for 1817 at only 24,737,542l., instead of 29,870,852l. The hon. member then proceeded to animadvert on the manner in which loans were opened. On the 2d of June, 1819, the Chancellor of the Exchequer had held out an expectation of a loan of 21,000,000l., but on the 4th he gave a notice that it would be only 12,000,000l. and that 12,000,000l. would be taken from the sinking fund. The next day there was a rise in the funds from 65 to 71. If, then, the right hon. gent. had borrowed 24,000,000l. at the rate of 65½, it would be a loss of 8s. 4d. per cent., or an annual loss of 3,334,000l. The change of plan upon that occasion was owing to the exertions of his hon. friend near him (Mr. Grenfell), to whom, therefore, the country was indebted for an annual saving of 3,000,000l. From that day to this there had been no occasion for a sinking fund. It had, been the most gratuitous waste to keep up a sinking fund at all. The 36,000,000l. taken from the sinking fund, according to the plan of his honourable friend, had saved in three years 10,090,000l. of capital. If the principles stated in the 33d resolution had been attended to, the annual charge for the funded debt would have been, in 1817, 21,000,000l. instead of 29,870,000l. His 34th resolution stated, that if 360,000,000l. had been borrowed instead of 534,000,000l., which the plan of the sinking fund required, the annual charge for the funded debt now, would have been 23,000,000l. instead of 30,000,000l. The 35th resolution clearly proved, that instead having made any reduction since 1793 by the operation of the sinking fund, 603,000,000l. of capital had been added to the debt, and upwards of 22,000,000l. to the annual charge, which showed that the sinking fund was founded in fallacy, and maintained by delusion. The financial system had altogether been founded on erroneous principles, and on which portended the most ruinous consequences. The surplus ought to be sacredly applied every year as it arose, to the cancelling of debt; for if it was allowed to accumulate, what security could they have that the Chancellor of the Exchequer would not lay his hands on it, as all his predecessors had done, contrary to good faith and to acts of parliament? Mr. Pitt, in 1786, lamented that the want of care to prevent the sinking fund from being broken in upon had been the bane of this country, and had represented that it would be in vain to attempt to prevent it by acts of parliament. Mr. Pitt had then unfolded his plan, and represented that none could afterwards break in upon a system so beneficial. But the present Chancellor, and all his predecessors, had, notwithstanding, broken in upon it. He would have had a 39th resolution, but that he had thought 39 an ominous number, and his 39th was to have been that no Chancellor of the Exchequer was to be trusted. But the right hon. gentleman talked of public faith. Oh! can it be said that such and such things ought to be done in violation of public faith? When the right hon. gent. opposite, however, was not able to keep faith, could they hope that any other Chancellor could? The only principle of a sinking fund was a surplus of revenue, and the application of that surplus every year to the cancelling of taxation. The great security for public credit was not a sinking fund, but, a representative government which created a confidence that nothing so monstrous as an interference with the public creditor would be entertained or grown in the face of the public. The rise of prices which had been so much discussed had taken place before the change of currency, and had been occasioned by loans. If they added the effect of the loans to that of the currency, then they would get at the true cause of the rise of prices. He would not now go at greater length into the resolutions. His object was to discuss them fully next session. He was not satisfied that he had made himself sufficiently intelligible; he could assure the house he had not spared his own labour. He might have fallen into errors in the details, but what he contended for was the principle and result of his resolutions. He begged leave to move the resolutions, which he held in his hand.

The SPEAKER read the first resolution.

The CHANCELLOR of the EXCHEQUER said, it was at this moment impossible for him, in so short a period, to pronounce whether the resolutions were or were not correct. He therefore would not be considered as admitting or denying them. It was the less necessary for him to give any opinion, as they were only preparatory to some further plan of finance to be proposed next session. In the meantime, he could

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not abstain from offering some observations, the leading principles which pervaded the whole of the resolutions. The resolutions rested on three general principles—first, that it had been a mischievous system of finance which had been acted upon in consequence of not having raised the supplies of every year within the year; next, that the sinking fund had increased the expenses and annual charge of the debt; and, thirdly, that the national debt itself had not been diminished by the operation of the sinking fund, and therefore that it was not expedient to continue that operation. The first of these principles—the economy of raising the necessary supplies from year to year, instead of providing for the expenditure by loan—that principle had long ago been canvassed in Parliament. On the 27th of July, 1812, the house had resolved that, if the sum raised by war taxes, previous to the peace of Amiens, had been raised by loan upon the ordinary terms, a sum of no less than 48,000l. would have been added to the public charge; and that the same mode of provision (the loan instead of the war tax) extended from the time of the peace of Amiens upwards, would have created an additional expense of 110,000,000l. He (the Chancellor of the Exchequer) acknowledged the advantage of raising supplies by war taxes; but such a principle must have its limits; it was only to a certain point that taxation could be carried; and he did not believe that the expenses of the late war could have been defrayed, or any thing like defrayed, by taxes raised within the year. No doubt, if the same amount of war taxes had been imposed in the beginning of the contest, that were levied towards the conclusion of it there might have been, and would have been, a considerable saving to the country; but still it would have been at the cost of heavy temporary burdens. He agreed with the honourable member for Aberdeen as to the benefit of raising the money at once as it was wanted; but still it was always a question of circumstance to what extent that course of proceeding could be carried. If he concurred, however, in the first principle laid down by the hon. gent. opposite, from the two last propositions brought forward by him he must altogether dissent. With respect to one of those propositions—the assertion that the continuing of the sinking fund during the years of the war had increased the expense of the country—his answer was, the system of continued purchase had operated beneficially in keeping up the market; and when the hon. gentlemen said that there had been no reduction of the debt since the peace, he forgot, surely, that the charge for unfunded debt had been diminished 2,000,000l.; that diminution was clearly traceable to the effect of the sinking fund, and it was, to all intents and purposes, as much a reduction as if the same diminution had taken place with respect to the funded debt itself. But the last point made by the hon. member for Aberdeen—the future arrangement of finance—was, in his (the Chancellor of the Exchequer's) opinion, the most important of the resolutions proposed; and upon that point, very briefly, he would offer one or two observations. As to the application of the sinking fund in time of peace, the hon. member for Aberdeen and Dr. Hamilton were at variance. Dr. Hamilton, although he objected to the operation of a sinking fund in time of war, admitted that, in time of peace, if a surplus existed of revenue over expenditure, that surplus was best employed in the reduction of the public debt. But the surplus of 5,000,000l., which Government hoped it was now in possession of, would be completely taken away by the last resolution of the hon. member for Aberdeen, who, for the sake of taking off 5,000,000l. of taxes at the present moment, was content to make the debt eternal. The hon. member spoke of some project by which he proposed to redeem the debt without the assistance of a sinking fund at all. What that scheme was, he (the Chancellor of the Exchequer) would not, until the honourable member further developed it, attempt to conjecture; but he feared that it was a plan more likely to be talked upon than to be realized. In the mean time he certainly should wish to follow up that system which had received the sanction of parliament, and which had the confidence of the country; and he should therefore move, that the honourable member for Aberdeen's resolutions be taken into further consideration this day three months.

Mr. GRENFELL bore testimony to the importance of the subject which the honourable member for Aberdeen had with so much exertion brought forward, but still thought that it was best for the public faith and for the public advantage, that the surplus of our revenue should go to the gradual extinction of our debt. He agreed that the mode in which the sinking fund had been applied during the period of war had been very disadvantageous; and indeed he held a paper in his hand which showed that, upon the last 4 loans up to the year 1815, no less a sum than from 6,000,000l. to 7,000,000l. might have been saved, if the commissioners of the sinking fund according to Mr. Fox's resolution of 1786, had been permitted to become subscribers to the loan, instead of being confined to the redemption of stock. An effect no less beneficial, and of equal proportion, would have attended the prosecution of the same principle all the way from the year 1763. This was not merely his (Mr. Grenfell's) opinion; it had been the opinion of those who co-operated with Mr. Pitt in the year 1793; it had been the opinion of Mr. Pitt himself in the year 1795; and that statesman had only been prevented from acting upon it by a feeling which was the common fault of all Chancellors of the Exchequer—by too great a subserviency to what was called "the momentary interest of the country."

Mr. HUME explained; and denied that the reduction of the unfunded debt had been effected by the operation of the sinking fund.

The amendment for further considering the resolutions this day three months was then put, and carried without a division.

SLAVERY AT THE CAPE OF GOOD HOPE.

Mr. WILBERFORCE's last motion had been for an address to the house, praying the Sovereign to use his influence with the foreign Powers of Europe more effectually to fulfil their promises as to the abolition of the slave trade; and he believed that the matter which he was now to lay before the house would equally claim their attention as the advocates of justice and humanity. Circumstances conspired within a few years past, to occasion a considerable emigration from this country, and one of the points to which colonists had directed their steps was (chiefly to the eastern part of that settlement) to the Cape of Good Hope. Information had reached him (Mr. Wilberforce) from various quarters—information corroborated and proceeding from the best sources, which induced him to believe that unless proper measures were adopted, there was great danger of a slave colony's being formed in that quarter. The emigrants who were now settling or who had lately settled at the Cape of Good Hope, would find a few old colonists in that very extensive territory who were in possession of slaves, and the object of the present motion was, to prevent any mistake—to give a sort of general warning to the new settlers that they must abandon all idea of employing their capital in the purchase of slaves, or of cultivating their possessions by the labour of such individuals. From the nature, however, of the country in question, from the example afforded by the existence already of slavery in a slight degree; and from the facility there was for introducing slaves both by land and by sea, very rigorous measures of prevention would be necessary. He (Mr. Wilberforce) knew, that in the grants of land a condition was inserted that the land should not be worked by slaves; but it too frequently happened that the conditions of such grants were very quickly forgotten. There was, perhaps, scarcely a country in which half the lands would not be found forfeited, if the conditions were now insisted upon under which they had originally been granted. Besides the condition, if observed, would only prevent the employment of field slaves; and it was universally admitted that domestic slavery, if it were the cause of less physical suffering to the slave, produced the greater degree of moral depravation in the master. If the condition attached to the grant of land was insufficient to prevent the extension of slavery, no less difficulty would be found in applying the system of registry, which was adopted in our West India settlements. The countries stood under very different circumstances. In the West Indies the registry law was almost self-acting; for, as the property and the negroes became forfeited by its violation, every creditor upon an estate was interested in seeing it observed. A man who wanted to borrow money upon his property, knew that borrowing would be impossible, unless the law had been complied with. But none of those incentives to obedience would operate with respect to the Cape of Good Hope. The possession of slaves by the old settlers would afford temptation and opportunity for the introduction of slaves by the new. In an extensive country, thinly peopled, vigilance (while slavery existed in any degree) would scarcely be able to prevent its fraudulent extension. The number of old settlers in the part to which emigrants resorted was extremely small and fit would be worth while, if possible, for Government to induce those old settlers to change their quarters—so, by making liberty the *lex loci*, facilitating the detection of practices hostile to its spirit. Let England remember the proud eminence on which she stood. After abolishing the slave trade in her old possessions, and even the advocates of the system had always dwelt upon the propriety of maintaining it as it did exist, never venturing to speak of it as a system desirable, if a system were to be formed; when we had abolished the trade regarded our old possessions, and set an example which must be appreciated, even by those who could not imitate it; when we were carrying the holy Scriptures even to the hearts of barbarous nations, and diffusing Christianity and useful knowledge together through the world; when, by such deeds, we were shedding lustre upon our name, what a falling off would it be if, through carelessness or neglect, we suffered that abomination to grow up in one place which we had succeeded, after long effort, in eradicating in another. The honourable gentleman concluded by trusting that England would not lose that reputation by permitting slavery at the Cape of Good Hope which she had gained, and gained fairly, by her exertions elsewhere against it. He bore witness to the efforts of Governor Brownrigg, who had induced the Dutch, in Ceylon, to give liberty, after a certain age, to all children born upon their estates; again, the measures taken by Sir Hudson Lowe, which had produced an equally happy effect in St. Helena; and again to the endeavours of Sir Stamford Raffles, in the Malay Islands, which had been equally honourable to himself, and advantageous to the interests of humanity. He concluded by moving the following resolutions:—

"That this House has learned with great satisfaction that his Majesty's Government, a just abhorrence of slavery and a provident dread of the evils which would result from its extension, has made it a condition in the grants of land which it has recently allotted within the new Settlements of the Colony of the Cape of Good Hope, that no slave labour should be employed in their cultivation.

"Also, that his Majesty has established a Registry of the Slave Population.

"That nevertheless, from the great extent of the colony—from its contiguity to countries whence slaves may at no distant period be easily procured—from the remoteness of many of the farms that are scattered over its surface, and from the thinness of the population, the due execution of all laws enacted for the government of those countries, particularly those for preventing the illicit extension of slavery, must be rendered extremely difficult, more especially when self-interest shall tempt powerfully to the violation of them.

"That the regulation, so justly introduced into the colonial grants, applies only to predial slavery; whereas domestic slavery, while it is in itself at least as great an evil, would prove a strong temptation to the needy and indolent to procure drudges for their own use, and would operate with a still more pernicious influence on the feelings and habits of the new settlers.

"That, as to the expediency of a registry, the house cannot but fear that a slave registration for so extensive a colony, comprising thousands of square miles, where the plantations are very thinly scattered, and divided from each other by wide tracts of a desert and unpeopled country, cannot be so constituted and regulated, as materially to check, much less effectually to prevent, the fraudulent introduction of slaves, where facilities exist for such introduction.

"That it cannot be necessary for a British House of Commons, in addressing a British Sovereign, to enlarge on the evils of slavery. It is universally acknowledged to be an institution essentially odious in its nature, baneful in its moral and political effects, and more especially repugnant to the spirit and principles of our happy constitution.

"That the continuance of the state where it already exists is reconcilable with those principles only on the ground of necessity, and therefore to continue it in any country where its present extent should be extremely small, and where the local circumstances should be such as to admit of its safe and convenient abrogation, would scarcely be less reproachful than the original establishment of that state in a place where it had been previously unknown.

"That, in forming new settlements on the African continent, such conduct would be pre-eminently indefensible and mischievous, because the distinctions between the European and coloured races of men must tend to extinguish sympathy, while the existence of the abject and ignominious state of slavery would powerfully generate or maintain in the minds both of the white colonists and the coloured natives of neighbouring districts, feelings towards each other the reverse of those which we are bound, no less by sound policy than by every religious and moral consideration, to promote. Thus the growth of mutual good will and civilization must be materially obstructed, to the prevention of that secure and harmonious intercourse by which important commercial benefits might be obtained on the one side, and the inestimable advantages of civil, moral, and religious improvements on the other. Instead of such happy effects of African colonization, dangerous animosities, mutual injuries, and inveterate border wars, might be expected as the natural consequences of an institution which would degrade the native race, and render them despicable in the eyes of the new settlers, while it would afford to the needy and worthless means and temptations to inflict upon them the most cruel wrongs.

"That the house also sees much reason to apprehend, that the time may come when the acts for abolishing the slave trade may be widely and fatally contravened in the new settlements now forming in Africa, if slavery shall be permitted there as a state recognized by law.

"That under such circumstances, no effectual means can be devised for preventing abuses injurious to the best interests of the settlers themselves, pernicious to the natives of Africa, and derogatory to the honour of this country, but the extending, as far as possible, by a fundamental law to the new African settlements, the same just and liberal principles of colonization, with such exceptions only as the slaves actually in the colony may render necessary, which have been so honourably and beneficially established at Sierra Leone.

"That we cannot but feel that many of the above considerations derive peculiar force from the efforts which this country has for some time been using to induce other nations to join with us in enforcing the abolition of the slave trade: that we should expose ourselves to just and merited reproach, if it could be truly alleged, that while we had been using those endeavours, we had been violating our own principles by permitting the state of slavery to establish itself in regions where it had previously little or no existence, and more especially where a slave trade would almost inevitably follow.

"That we cannot but contemplate with pleasure the honourable and successful efforts which, under the paternal influence of his Majesty's Government, aided by the liberal spirit of the masters, have been made in various British settlements for meliorating the condition of the slaves,

and for ultimately putting an end to the state of slavery. And that we cannot but hope that his Majesty's Government will studiously avail itself of any opportunities it may possess of acting in the spirit of these beignant precedents.

"That we also beg leave humbly, but earnestly, to recommend the state of the Hottentots to his Majesty's benevolent care: a race of men long misrepresented and vilified, who, however, have since abundantly proved that any efforts used for their moral improvement would not be employed in vain.

"That we consider that the communication of Christian instruction to the slaves and Hottentots, is a paramount act of duty, and the more necessary, because efforts have been made, not without success, to propagate among them the tenets and practices of Mohometanism. That no doubt can be entertained of the happy result of those Christian endeavours. Nor can we forbear to indulge the gratifying hope, that by the gradual diffusion of the blessings of civilization and of moral and religious knowledge throughout the coloured population, those degraded classes of our fellow creatures may by degrees be raised from their present depressed condition, and be rendered not only useful members of the colonial community, but valuable subjects of the British empire."

Mr. WILMOT said, that as he would give his unqualified assent to the address, it would not be necessary to occupy the time of the house at any length. He must, however, express his opinion that any fears which were entertained of the Cape becoming a great slave colony, were wholly without foundation. The whole of the slaves at present employed there did not exceed 564 males and 464 females. The house should recollect that the new districts contiguous to the Cape were not to be considered in the character of new colonies, but as attached to an old colony, and that it was not easy to depart at once from all the former customs and laws of that colony. He would, at the same time, express his readiness to encourage the manumission of slaves by giving an equivalent: but he thought it would be most impolitic, even with the equivalent, to render manumission compulsory. However much he deplored the evils of slavery, he thought that a sudden and general manumission would be imprudent, as it could not be attended with benefit to the parties manumitted. The evil was not one of our creation in the colony, but its safest remedy must be gradual. The fear of a clandestine importation of slaves at the Cape from the interior was, he could assure the hon. gent., without any just ground. He had not heard of a single instance of that kind; and as to importation by sea, though he should admit its possibility, yet there were so many natural impediments to it as amounted to a rational security against its being attempted. With respect to the advantages of moral and religious instruction, of which the hon. member had spoken, he could assure him he did not undervalue them, and that they would not be unattended to by his Majesty's Government. It would be an instruction to the commissioners about to be sent out, to make inquiries on the subject of any clandestine importation of slaves.

Mr. W. SMITH said he warmly concurred in the address, but he could not assent to what was said about respecting the rights of private property in slaves. He would admit of a right of property in the labour of a man, but of none in his person; and he held that the assertion of such a right ought not to be any bar to emancipation.

Col. MONEY gave his cordial support to the address, and trusted that the attention of government would not only be turned to the best means of abolishing domestic slavery in this colony, but also to the correction of its criminal jurisprudence, which, if it did not sanction, at least tolerated, the horrid brutality with which the Dutch boers too often treated the unfortunate beings who were submitted to their control.

Dr. PHILLIMORE followed on the same side.

Mr. F. BUXTON contended that it was the duty of the house to agree to this address. In every colony under British protection, liberty should be the rule, and slavery the exception. This was rendered particularly necessary by the grand boasts which we had so long made regarding the purity of our motives in abolishing the slave trade, and the reprimands which we had given to other states for not following our example.

Mr. WILMOT explained.

Mr. WILBERFORCE replied, and in the course of his observations strongly animadverted upon the evils that were certain to arise from a system of domestic slavery. He implored the house not to extend, they were not prepared to put down, so cruel and degrading a system. He reminded it of a late decree of the American government, prohibiting slavery altogether in the extensive territory of the Missouri, and exhorted it to follow so glorious an example in the many millions of acres which this country possessed in the South of America. If such were their determination, many centuries would not elapse before these countries, over which a needy population was now thinly scattered, would relieve their full complement of inhabitants, and cities, towns, and villages, would spring up, where at present no trace was to be found of human industry. Then, when they had become the seat of science, justice, and of pure religion, because they were also the seat of liberty, their inhabitants would look back with gratitude to the debate of that evening, and would trace to it the various benefits which they would be sure to derive from the enjoyment of equal rights, and the abolition of the degrading practice of domestic slavery. The address was then agreed to.

ASIATIC DEPARTMENT.

—105—

Supreme Court.

CALCUTTA, THURSDAY, MARCH 7, 1823.

Samuel Hannan, a Private Soldier, was put to the Bar, charged with the wilful Murder of Mary Hannan, his wife, at Benares, by striking, kicking, and beating her on the breasts, which occasioned her instant death.

Mr. Lewin, the Prothonotary, having read the indictment, the Prisoner, a good looking young man, pleaded—NOT GUILTY.

Mr. Henry Cooper, Surgeon, was called on to examine the body of the deceased on the 18th of January 1823.—Did so, found the cavity of the abdomen filled with blood, proceeding from the rupture of the right lobe of the liver, the rupture of the liver was the immediate cause of death. In general a rupture of the liver, causes death in two or three minutes.—May sometimes not occur till eight or ten minutes after, but witness has never known of this—thinks he has read of such a circumstance. Ruptured liver may proceed from violence without leaving external marks, in general if caused by a blow, there would be an external mark, but not if occasioned by a pressure of weight; the right lobe of the liver is generally protected by the ribs. Never read of the liver bursting without external violence. The liver in this case had a healthy appearance. The right lobe of the liver tho' generally, is not always entirely protected by the ribs, it is sometimes larger than ordinary. Never heard of the liver bursting from hard drinking or violent exertion. There were no external marks of violence in this case. Some co-agulated blood covered the right kidney.

Examined by Mr. TURTON, Counsel for the Prisoner.—I think it probable that the skin might not be discoloured in the case of a rupture of the liver by continued and heavy pressure. I examined the body by day-light.

THOMAS LYONS, Private, called and examined.—I knew Mary Hannan. She is dead, do not know last witness. Do not know how deceased came by her death. Saw her on the 17th of Jan. between the hours of six and eight o'clock in the evening. She died about 8 or before. Saw her a quarter of an hour before she died. She was not sober when I saw her. Heard she had a quarrel at Delany's quarters. Saw the Prisoner strike the deceased in Delany's quarters, she fell beside a small cot, he struck her with his hands about the body, stamped on her, she was on her side I think. I had heard some noise before—did not see what was the matter, but heard a great noise at Delany's. Mrs. Delany's and deceased's voices in anger. Mrs. Delany's shouting for assistance, brought me there; when I came, Mrs. D. seemed to be struggling to get away from deceased; the birth was not very wide, made of bamboos, I cannot say what dimensions, but small—floor of split bamboo. I went to Delany's quarters because Mrs. D. screamed—met her at the door—as I went in, Prisoner was striking deceased—saw her fall and lifted her up. Prisoner was there before. I do not know when he went—he was striking deceased, and Delany trying to prevent him. After she fell, Delany laid hold of Prisoner, but deceased being near him, he stamped on her with his foot. Witness said to Prisoner, "You are murdering your wife." He, Delany saw all this being present, carried deceased into her own birth, and laid her on a small cot—he lifted her off the ground altogether, she only spoke two words after she was laid on the cot. She was dead within one hour from the time I left her. Can't say when she died—I know she was dead within one hour after I carried her out, might have died immediately. Spoke to prisoner when striking deceased, "I told him, says I, Honey you'll murder your wife," he said he would, and murder he would have. After I left her on the cot, I saw him with a rope doubled up in his hand, he (the Prisoner) said he would find her if in the Regiment, do not believe the Prisoner knew where he had carried her, knew Prisoner in the Regiment as any other man, not particularly, never had any quarrel with him or his wife.

Examined by Mr. TURTON.—Deceased was so drunk she could not stand, it appeared to be Prisoner's wish to get her

from Delany's back to her own birth—I saw him looking for deceased after I had so carried her away—do not know that Prisoner saw me take her away. Prisoner did not ask me where she was, he only seemed to be looking for her—told him he had better beat her in the morning; not a quarter of an hour had passed after I carried deceased away, before I saw Prisoner with the rope. Some of the women had taken her away; did not see them, advised that she should be beat because she was drunk—would have beat her myself had she been my wife in such a case. She appeared to be much intoxicated.

By the JURY.—She lived in the 4th birth from me—I had seen her the worse for liquor before, tho' not quite drunk—she was a County-Cork woman.

THOMAS DELANY examined.—I knew Mrs. Hannan—she is dead—do not know how she came by her death—I recollect she died on the 17th of January last, was in Prisoner's quarters that day between the hours of 6 and eight in the afternoon, it was very near six, a little after. She and my wife quarrelled—deceased came into my birth, we were at tea, my wife got up from table, the deceased run in and laid hold of her by the arm, she was very much intoxicated; she bit my wife which left a mark, I laid hold of her to separate her from my wife, my wife ran away; she had had no previous quarrel with deceased and the present one arose from drunkenness; my wife tried to get away and made no struggle for any other purpose. Prisoner was at his own birth when his wife came into mine, he came in directly after his wife, he followed her in, I know last witness Lyons. Lyons took deceased away, I can't say in what manner, I was holding Prisoner on by the body when he came in, I then let him go and turned round to save my place from being destroyed. When Lyons came in, deceased was standing. Can't say in what position she was when he took her away because I had turned round. She might have lain on the ground and I not seen her because I had turned round; it was by Hannan that I feared my place would be broke. Can't say how Lyons took her out, but I know he took her out she was in his arms when I looked about again. Prisoner beat his wife in her own birth before he came to mine, he beat his wife with his hand. I separated them and went back to my wife's birth. I cannot say what happened after Lyons came to my birth. Prisoner might have kept on beating his wife without my seeing it. Can't say whether while Lyons was there, she was lying down; she was a stout portable woman and healthy. I had seen her drink at other times, she had exerted herself much and run into my birth with her hair hanging down—Deceased could not have screamed out without my hearing it.—Did not see her receive any injury—Heard a rumour that she was dead about 8 o'clock—can't say it might not have been 5 minutes after 7.—I was next birth to Delany, can't say when she died.

Examined by Mr. TURTON.—The deceased was given to drunkenness and very violent when drunk—he (Prisoner) was striving to strike or kick her while I held him—could not have done this without my seeing it. I was afraid of both Prisoner and deceased hurting my place, and kept securing my things. Should not have wondered if she had fallen from drunkenness. Prisoner only struck deceased with his hand, can't say open or shut.

By one of the JURY.—Prisoner was trying to strike her in my arms, it was candle-light. When I let prisoner go I turned round to save my place, a Mrs. Dawson was also present; she was sober. I was not afraid of her injuring my place. Deceased was quarrelsome when drunk, but she was not often so.

Mr. COOPER re-examined.—I never heard of any case of violent exertion or drunkenness rupturing the liver, I should suppose such causes would not produce that effect.

Examined by Mr. TURTON.—Yes, a fall when drunk might rupture the liver, a fall might do it as well as a blow, generally such cases occur from falls or great external violence.

Mrs. DELANY examined.—Knew Mrs. Hannan, she died in January—I recollect the day, we had no quarrel but she

called me bad names over the jiffy.* I had no anger with her, we were on good terms two or three hours before; but about ten minutes before, she called me bad names: the jiffy is very low. She came into my birth while I was at tea and hit my arm (*witness her, sheaved the marks*) she took a piece out. I begged for God's sake for her husband to take her away, and he did come and extricate me from the teeth of deceased. I ran out exclaiming "for God's sake take me to my Nancy's," she is my gossip and I went there. When I ran out, deceased was standing, my husband was over at the eot, he did not assist me, I did not resist, indeed I could not, from the way in which I was seized. Deceased was very drunk. Before she came in, I threatened to report her, she then spit in my face over the jiffy, she might have fallen before her husband came in, from drunkenness; she was very violent when in liquor—never saw her after she left me in the birth.

ANNE KELLY examined.—Saw deceased at 3 o'clock. She was dead at roll call, 9 o'clock—Saw her after 3 that day walking, &c. &c.

The remainder of this witness's testimony as well as the whole evidence given by the witnesses called after her, viz. Donald McCarthy, Peter Kelly, William Hunt, and Mrs. McCarthy, all went to establish the facts, that the deceased was given to drinking, that she was exceedingly violent when drunk, that she had used extraordinary exertion in her passion, and fell from drunkenness, and that she did not die till at least half an hour after the Prisoner had been seen to strike her; whilst the evidence of Mr. Cowper fully established the fact, that if the blows inflicted on her had occasioned the rupture of the liver, she must in all probability have died in two or three minutes, but at the utmost could not have lingered till more than ten minutes after encountering such violence. We deem it unnecessary therefore to lay before our readers any more of the evidence adduced in this case. After it had been gone through, Mr. TURTON, rose and submitted that no case was made out to go to the Jury, for that not one tittle of evidence had been brought forward to substantiate the charge against the prisoner. He remarked that had it not been his wish to refrain from urging any thing that might have appeared like a desire to get the Prisoner off by a mere quibble, he might have objected that no evidence had been adduced to prove even that the deceased was the wife of his Client, he had admitted that however, because the innocence of his Client was established on grounds the most clear and unequivocal.

Sir FRANCIS MAGNAGHTEN considered that there was sufficient evidence of the identity of the deceased, but he concurred in the opinion that no case was made out against the Prisoner. His Lordship proceeded to remark that if the Jury wished it, he would certainly recapitulate the evidence, but he did not think a doubt could arise of the Prisoner's innocence. His Lordship observed that if there had been any proof that the Prisoner was in any way the cause of the death of the deceased, there would have been reason to deliberate whether tho' innocent of the murder he might not have been guilty of Manslaughter; but there was no evidence to that effect; in fact a charge of the kind was never brought before the Court on grounds so slender.† (*A jurymen here observed that he was surprised that such a case could have been sent down for trial.*)

The Jury expressed their concurrence in this opinion, and immediately without retiring or deliberating, the question being put, pronounced the Prisoner NOT GUILTY—the verdict appeared to give general satisfaction.

* A sort of Bamboo partition, as we understood it.—Ed.

† Note.—That portion of the evidence which we have given in detail, and our summary view of that which followed, we believe may be relied on as perfectly correct. As to the observations made by his Lordship we cannot so implicitly depend on their accuracy as our Reporter, from not having, as formerly, a seat at the Barrister's table, could only obtain one in the old Jury Box, and as his Lordship's voice was of course directed towards the Jury on the other side of the Court, it was

impossible for him to catch more than the substance of what his Lordship said, and this he has given as faithfully as his remembrance and notes of what he did hear enabled him.—Ed.

Superintending Surgeons.

More Medical Monsters; or, monstrous Medical Queries
—"As you like it"—Shakespeare.

To the Editor of the Journal.

SIR,

The best reply I can make to my friend CANDIDUS is, to thank him on the score of liberality: but, he is a bad shot, for neither rank, nor interest, nor inclination have I, to turn out others; or to succeed, to their practice or appointments. He hits hard, however; and being compassionate, I pity the poor gentleman in whose breast the erring missile stands quivering.

Let him try again; for he must be greatly interested in the questions I put to him: and therefore, still compassionate, I steal a few minutes from better company,—I hope no offence,—in order to gratify and indulge his itch for explanation. It is his Fortepiano.

1st.—When a Superintending Surgeon takes Furlo*, if HE HAS NO RANK, why is an ASSISTANT Surgeon promoted?

2d.—Is an Assistant Surgeon promoted when a Surgeon (*holding or not a Staff Appointment*) takes Furlo'?

3d.—If not, and both a Surgeon and Assistant ARE promoted, when a Superintending Surgeon takes Furlo'; does it not prove a Superintending Surgeon HAS rank? otherwise, (according to CANDIDUS's reasoning,) the Surgeon and Superintending Surgeon should only change situations; and no Assistant Surgeon would be promoted.

ONCE a Superintending Surgeon, ALWAYS a Superintending Surgeon. Thus Mr. A R—, by Regulation 22d May 1786, had no claim to Pay or Allowance until a Vacancy should occur; or a suitable situation should be made for him, after his return FROM Furlo'. In fact, he was by that Regulation placed in a situation to depend upon his Private Practice, until an opportunity should offer for employing him.

4th.—If a Superintending Surgency is not a Grade, why cannot a Surgeon pass over it INTO THE MEDICAL BOARD? Dr. Campbell's case was made a *special exception*, and never acted upon as a precedent: how could it? or IF REGULAR, where was the necessity of the Court of Directors', interference in regard to him?

5th.—If Superintending Surgeons have NO RANK, how do they control Regimental Surgeons of His Majestys Service, where they are junior to them, as Surgeons?

CANDIDUS will perhaps inform his friends in the Army, when more at his leisure, that GENERAL OFFICERS in the Honorable Company's Service have NO RANK annexed to the grade, because they only receive Colonel's pay; and had he not been in a hurry, when he replied to my former Queries, he would doubtless have recollected to inform me that, Government BY THE REGULATIONS, may exercise the same power of passing over the SENIOR LIEUTENANT COLONEL of the Army when a Regiment falls vacant, as it can the SENIOR SURGEON on the List when a Superintending Surgency is to be filled up.

Pray, CANDIDUS, does this POWER make a superintending Surgency and a Regimental command, STAFF APPOINTMENTS?

I am, Sir,

GRIPHUS PES.

P. S.—One more Question for CANDIDUS:

Supposing him to be correct in saying, Mr. A. R. returned from Furloagh as "A SIMPLE SURGEON," let me ask CANDIDUS:—Who was the Assistant Surgeon promoted on his re-appointment?

I will answer for him: THERE WAS NONE! consequently, Mr. A. R. returned as unemployed or Supernumerary Superintending Surgeon.

G. P.

A Monitorial Hint to M. B.

To the Editor of the Journal.

SIR,

I should not have noticed that Reverend Driveller, now well known to be the FRIEND to BANKES, who in the JOHN BULL, a few days back, so wantonly attacked the Firm, and the Members individually, of one of the First Agency Houses in this City, under the signature of "W. B."—had he not again appeared in to-day's BULL, affecting a triumph over the Agents, generally; and like a puling youth, asking pardon of the men at whom he had attempted to spattle his filth. Why does he consider it *expedient* to be thus, suddenly, servile? Is it because he feels that, altho' he did find some individuals who from motives of jealousy joined with him in slandering and defaming the private character of Mr. Buckingham, he could not meet with men who had *any interest* in abusing a body of Merchants, whose only fault was being his Agents; he paying them for the same: or, is it because he heard W. B. execrated in every House in Calcutta? Advise this very Reverend FRIEND to BANKES to keep quiet:—his day is yet to come.

Your's obediently,

March 6, 1823.

LEX TALIONIS.

Superintending Surgeons.

"Et me, si quid loquar audiendum.
"Vocis accedet bona pars."—HOR. OD.

To the Editor of the Journal.

SIR,

Whatever may be the opinion of those who are not immediately affected by it, yet it is far from an uninteresting subject, (as it concerns mainly the present and future interests of all in the Service), whether "GRYPHIUS PES," or his Friend "CANDIDUS," be indisputably right. For my own part, I at once declare in favour of the former, thinking, as I do, much serious injury, must follow the adoption of that reasoning which is advocated by the latter. In order to have well established his opinion, that a Superintending Surgency was a Staff Appointment; CANDIDUS should have done so, by shewing some Rule or Regulation in point, some instance of its having been acted upon, in proof;—or lastly, by analogy, have made out his title to attention: but, Sir, he has done neither, and wherever he has attempted it, nothing could have been more complete than his failure.

No Rule or Regulation can, I find, making it a Staff Appointment; and no instance on record, that can be brought forward as a precedent: whilst general usage, is wholly against it. As to analogy, I can find nothing to which it can be compared; and a careful examination will satisfy every candid man, ergo "CANDIDUS," that the Appointment is an anomaly; one *sui generis*, and therefore not admitting of comparison.

If it had ever been considered a STAFF SITUATION, we should have had for it CANDIDATES of every standing. We should have seen the appointment bestowed according to men's interest, or given as the mode of superior merit. Let CANDIDUS, if he be near promotion (by SENIORITY) ask himself, how HE should like to see one, *many years his junior*, selected for the Office? I fancy he would then begin to think, the interests of the Service were in danger.

Again, if it be not a Grade, how does it happen those, who were not selected, have never afterwards claimed their seats by SENIORITY, in the Medical Board? CANDIDUS has lead his readers into error, by his way of stating Dr. CAMPBELL's case; I rejoice to think of the change it must make in his opinion, when he is told, that the Court of Directors desired Dr. Campbell might be kept in the situation, without prejudice to his prospects in the service; and unequivocally did so, on account of his peculiar qualification for the office of APOTHECARY GENERAL,—a situation, the Court were pleased to say, he had filled many years with much ADVANTAGE to THEIR INTERESTS. Come, here is a reason for Dr. CAMPBELL's being allowed to keep HIS

appointment; it was a REWARD for acknowledged Services: and I am the last man in the world, to set my face against its being repeated in the case of any one whose merits and services, are worthy such distinction.

This case, however, settles the question before us; the Court of Directors, having, in stating their wishes that Dr. Campbell should keep his situation without prejudice to his future interests, said plainly, "WE KNOW THE ACT TO BE IRREGULAR, AND DESIRE IT THEREFORE ONLY ON GROUNDS OF PUBLIC SERVICE."

The application made (when Dr. W. Hunter was anxious on similar grounds to decline this DUTY) was considered by the Medical Board disadvantageous to the service; and if CANDIDUS, or any other Gentleman, can oblige me with a copy of the Board's Letter on this occasion; it will then appear that the clamor talked of by CANDIDUS was foreseen, but not expected: as the Medical Board, in all probability, thought in shewing objections, they had provided against all future cause for it. Dr. W. Hunter being aware of the Board's sentiments, did not, on his promotion, bring the subject of his wishes forward; but became a Superintending Surgeon, was sent to Java, and died! Mr. A. R.—'s case (alluded to by CANDIDUS) is also stated, so as to mislead; for he did not return "simply a Surgeon,"—but a supernumerary Superintending Surgeon. That Gentleman also was desirous of keeping his appointments, and private practice, without prejudice to his future prospects; but the same objections existed *then*, as *formerly*, and must do now. Dr. H. was asked, at the time, to wave, and did wave, his claim to the general Hospital, in favour of Mr. A. R.—'s brother, in order to induce him to take promotion and to obviate the necessity of any discussion.

As Dr. A. R.—'s wish was publicly known, being talked of by himself, it is as certain as such things can be, that he privately sounded, in order to ascertain whether a public application would be advisable or the reverse. Respecting the Regulation quoted by CANDIDUS, from which Surgeons and Assistant Surgeons are entitled to retire on the Pay of their respective Ranks, after a certain period of service; it will be only necessary to note, that Regulation was passed previously to the introduction of the Superintending Surgeoncies into our Department; therefore, because Government did not apply this Rule to the new Rank, but adopted another to it; surely it cannot be seriously argued as having any bearing upon the question, whether it be a grade or not? The case of Dr. Yeld, was an application for leave to retain his situations when (by seniority he was being qualified,) promoted to the Rank of Superintending Surgeon; and to be allowed to retire on the Pension of the grade he declined to take. His request, I understand, was acceded to by the Governor General in Council; but not confirmed by the Honorable Court of Directors, to whom it was referred: thus it seems to me evident, that it is a GRADE or RANK, and not, with all due deference to CANDIDUS, a Staff Appointment.

Whatever it is, it must be an object to all the service to have it determined; and this is my apology for intruding so long upon thier time. I must for a moment pass on to the case which CANDIDUS has imagined. If correct, it would indeed benefit the service: but let him suppose Mr. A. to be so much attached to his appointments and private practice, that he would rather relinquish promotion altogether than give up these advantages, would it not then be the same thing to Mr. B. and the step to the service the same?—but suppose A. should prefer taking promotion, might not Mr. B., from his rank, stand a chance of getting the appointment A. would vacate? and would not THE SERVICE benefit at all events, by having these appointments and private practice thrown open to it? For, LET IT BE REMEMBERED, that, Mr. A. does not give a step in the line, if he decline the SUPERINTENDING SURGEONCY IN VIRTUE OF ITS BEING A STAFF APPOINTMENT, but might claim it (as "RALPHO" has it) "when more suited to this CASE, PROFIT, OR INCLINATION."

Your's, Sir, obediently,

P. Q.

A Golden Vase.

To the Editor of the Journal.

SIR,

I am much pressed for time; but I will nevertheless snatch a moment from other avocations to say, that I, for one, heartily approve of a Golden Vase being presented to Mr. Buckingham in England by the Indian Public, as proposed by "A SUB." in the JOURNAL of this morning.

I have known persons to receive similar tokens of respect, for services of far less value than those which have been achieved by Mr. Buckingham. In the case of a Commander of a Ship, for instance, a pleasant sea voyage has been often known to pave the way for a Golden, or a Silver Vase. At other times, as it respects men in office, mere precedent supported by the force of custom, has pleaded successfully in favor of a Statue, or something else.

Under these circumstances, I ask, whether Mr. Buckingham's dignified and honorable career in a Public cause, shall be suffered to escape our particular notice and gratitude? No. To ensure full success from a liberal and discerning Public, it is only necessary to say that, during a period of four years and upwards, Mr. Buckingham has maintained his ground with unabated zeal and undaunted courage against all that slander and persecution, which men, of illiberal principles, have conspired together to raise against him.

I am, Sir, your obedient servant.

March 7, 1823. AN ADMIRER OF RIGHT PRINCIPLES

P. S.—Equally with the other proposition as to a Golden Vase, do I approve of that of a Petition to the British Parliament for the repeal of a Power lodged with a single individual; for the exercise of which, while it operates as a serious stain upon the British name and character, there can be no reason of political expediency.

Court of Requests.

SIR,

To the Editor of the Journal.

A case lately came before the Court of Requests; respecting which, I should feel obliged if you, or some of your numerous Correspondents, would give me some information:—

J. DAVID versus S. M. SIMONS—RECOVERY OF DEBT.

The Plaintiff not being able to prove his demand against Defendant, the cause was postponed until further Evidence could be produced. The Defendant applied to the sitting Commissioner, requesting to know when his attendance would be again required; but having for some time in vain awaited an answer, he addressed himself on the same subject to one of the Bailiffs of the Court, but this personage equally evaded the question by regaling his nose at the expense of the Defendant's Snuff-box, and apparently ruminating whether it was Strasburg or Lundifoot. Not being able to obtain a satisfactory answer, the Defendant withdrew from the Court, under the supposition that he would in due time receive notice for his re-attendance; but to his utter astonishment he, on the day previous to the cause being brought on for the second time, was most politely served with an Attachment for non-attendance, the Bailiff demanding immediate security or the money in deposit; in defalcation of which, it was intimated to Defendant, that ready furnished lodgings (gratis) awaited him at the Jail. The Defendant not liking the air in that quarter of the town, and the trouble of removing his effects, obtained the security required. Now, Sir, the question I would wish to ask, is, whether in cases of this nature, the adverse party ought not to have due notice given him for his attendance? or whether, it is legal to serve an attachment on a person for non-attendance, without first giving such notice, and that, too, the day previous to his attendance being required?

I am, Sir, your's obediently,

AN ENQUIRER.

Note to Correspondents.

A press of matter, in our ASIATIC DEPARTMENT, since the receipt of * * * 's very able Reply to CAUSTIC, prevented our giving it a seasonable insertion; but as a Society of Indo Britons has been formed, and a PARENTAL-ACADEMIC-INSTITUTION projected, we are of opinion that the discussion on the School question, should now cease.

Bachelor's Ball.

(Sent for insertion in the Journal.)

We have authority to state, that at a Meeting of the Bachelor's Ball, on Tuesday last, it was finally resolved, that "MASKS AND FANCY DRESSES" should not be admitted at their Ball on Monday Evening; which, we hear, was in consequence of a considerable portion of the Society of Calcutta having objected to join a Masked Party, at so public a place as the Town Hall.

Military Correspondence.

To the Editor of the Journal.

SIR,

In the JOHN BULL of the 1st instant, (a Paper, by the bye, into which I never look unless it is actually thrust upon my notice), there is one remark worthy of consideration. The Editor is labouring to prove, that the JOURNAL is hostile to the Government, which, if true, would certainly show either one or the other to be very bad: and, as a proof, he adduces Mr. Buckingham's suggestion, that "communications to the JOURNAL might be sent under cover of an Agency House in town, if a direct address should be deemed unsafe." This, says the BULL, is a most gross, and disgraceful insinuation against the Government, and an insult to all who are employed under it." Now, I shall just request this Champion of Arbitrary Power, this Advocate of Summary Transmission, to explain to me the meaning of the following Extract from General Orders, dated the 8th of June last, given in the JOURNAL for that month at p. 573. After severely condemning the practice of Military Officers representing their professional grievances through the Press, it concludes thus:—

"The Commander in Chief, therefore, in the strictest manner, prohibits Officers from sending to the News Papers any such Anonymous Representations as above described. Should a Letter of that nature henceforth be traced to any Officer (and MEANS will be taken to make the discovery ALMOST INEVITABLE) the Commander in Chief will immediately submit to the Governor General in Council, the necessity of suspending the Individual from Duty and Pay, while a solicitation is made to the Honorable Court, for his entire removal from the Service."

Now I ask JOHN BULL—and all his co-worshippers of Arbitrary Power, who are ever ready to act as lick-spittles to the powers that be, to say, candidly, what "MEANS" are here alluded to—whereby letters shall be "traced" to any Officer with such extraordinary certainty, that discovery is almost inevitable?

Let the BULL be wary as to what answer he gives, either Editorially, or by a Correspondent; for more importance will be attached to it than to a common Newspaper paragraph, from the pen of such an insignificant Editor, or a portion of un-official Correspondence. The Bengal Army, let him recollect, will not be gulled by clerical sophistry, nor demi-official evasion.

Before this Letter goes abroad to the world, I request, Mr. Editor, you will destroy the MS. so that no MEANS may exist whereby it can be traced to

A BENGAL OFFICER.

HIGH WATER AT CALCUTTA, THIS-DAY.

	H.	M.
Morning.....	11	51
Evening.....	0	15

ASIATIC DEPARTMENT.

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Catholic Wardens.

To the Editor of the Journal.

SIR,

After the late discussions on Catholic affairs, and the never-to-be-forgotten sample of inconsistency, on the part of the re-elected; it was reasonable to expect, that no other instance of glaring impropriety would receive birth, for, at least, two years. Rumour, with her hundred tongues, was busy in forming conjectures. It was said by one, that the spirit of opposition shown to the *ancien régime*, would be productive of a change for the better. By another, that the re-elected were so galled with the squibs in the public journals, as to induce them, seriously, to devise measures for securing more popularity, and forbidding further clamour on the part of the discontented. A third, however, foretold, that every thing would be conducted as in the "olden times;" followed by the repetition of acts as arbitrary and unreasonable, as they must ever prove subversive of the rights and privileges of the community concerned. Leaving these surmises and predictions to be realized or fulfilled, and the future administration of the Wardens to be pronounced upon, as it may deserve; I shall now inform the Public, through your pages, of an occurrence unprecedented, I believe, in the Catholic Church, and which, for absurdity, I am free to say, is yet without a parallel.

Yesterday morning, the clock bell of our neighbours, the Armenians, no sooner struck eight, than the assembled congregation of Catholics saw, with wonder and astonishment, no doubt, a State Chair richly gilt and ornamented, placed in the centre of the High Altar, on which the Reverend the Vicar General, emerging out of the Sacristy, seated himself—with his back turned to the Altar. The Wardens, four in number, had also square stools covered with damask silk, placed below the steps of the Altar, on which they sat; bedecked with white satin gowns, and a brilliant star on their left breasts. The Reverend Vicar then delivered a long Discourse, in which he set forth the duties of Wardens, and the necessity of their being confirmed *sancto sanctorum* in their appointments. The Discourse being concluded, they severally took their Oaths on the Bible, I believe; after which, the Choir chaunted the sublime hymn *Te Deum*: a hymn only sung on particular occasions,—such as for deliverance from Famine, Persecution, or other great calamity. It is also sung on the last day of the year, as a Thanksgiving for past blessings; or on some other occasion of great benefit to all mankind.

Here, Sir, you have a faithful account of this most extraordinary occurrence. A hymn, which was never sung before but on particular events, was chaunted in solemnity, by the desire of the Vicar General, in adulation of a few mortals, whose public acts were far from having given a shadow of satisfaction; except it be to a few parasites, by whose flattery they were coaxed to continue as Wardens. After this, what may not we expect. Let all unbiassed men judge of such innovations and farcical consecrations of Wardens; and let them honestly and fearlessly declare, if it is not an almost unpardonable mockery of the ceremonies of Religion.

It is said by some discerning men, that this act of consecration by the head of the Ecclesiastics, is set up avowedly as a precedent for its future practice; and that the Vicar has thereby assumed the prerogative of annulling or confirming the Election of Wardens by the Parishioners, as he may think proper. If such be really the case, let that numerous body look to it; particularly as the Reverend Gentleman was understood, by many, to deny their right of meddling in matters connected with the Church, and the security of the Funds; or, of appointing Guardians over them according to their wishes. I may be mistaken in my conceptions of the drift of this memorable discourse, but will certainly feel much gratified at being undeceived.

Your obedient Servant,

VERITAS.

March 3, 1823.

Earthquake.

In the JOURNAL of last Thursday, under the head SELECTIONS, we copied the Notice of an Earthquake felt at Madras, and the Neilgherry Hills, on the 9th of last month; we now give an Extract of a letter from Colombo, dated the 10th of February:—

"Yesterday about 1 o'clock we had a slight shock of an Earthquake."

From this, it would appear, that the shock was simultaneous, and very extensively felt.

Selections.

Mrs. Prinsep at Home.—Mrs. W. Prinsep was at Home last evening to a brilliant and numerous circle of beauty and fashion. Though the weather might be said to be rather yes than no,—as repeated warmth, the lovely votaries of Terpsichore did not flag an instant. The elegant quadrille maintains its ground, and waltzing seems to get more and more into favor. The beautiful specimens exhibited last night at Mrs. Prinsep's elegant mansion of this charming dance, were irresistibly fascinating. If ever Cupid, Venus, and the Graces put their heads together on any one occasion more than another, it must have been when they invented the Waltz. Though the Poets mentioned it not, (the more shame for them—lazy sons of Ennui and Fancy) there can be no doubt but the goddess of love was often seen to waltz through the balmy groves of Cyprus with her handsome partner and favorite Adonis, while little winged chubby Cupids leaped from ambrosial clouds, playing on violins and violoncellos, as may be seen in some pictures of the old Italian masters. Indeed we recollect a picture of the Virgin, where in a cloud immediately above her, an Angel is playing the violin, with a grace and spirit not unworthy that of Mr. Delmar himself.

About half past twelve o'clock supper was announced, after which dancing was resumed with undiminished ardour. The company did not separate until a very late hour, and the party was as agreeable as the charms of mirth, music, and elegant hospitality could render it.

Bachelors Ball.—We are happy to observe that the Bachelors of Calcutta intend making some return for all the civilities they have received during the season, from their more fortunate and less singular friends, and also to shew their devotion to the fair sex in general, by giving a Ball and Supper at the Town Hall. The Cards are now in circulation for the fete, and Monday, the 10th instant, is announced as the day fixed for it.

Through some mistake the words "MASK AND FANCY DRESSES ADMITTED" were omitted on the impress of the cards when first issued; at least we believe so, we have now authority for stating that all those who incline to be fauciful, or who wish to wear an "antic face" at the approaching "solemnity" of the *Lamentables*, have full liberty to do so. We trust, therefore, that many will avail themselves of the opportunity, and make themselves as picturesque as possible. The gaiety and variety given to a ball by masks and fancy dresses, have repeatedly been made obvious to our readers. We therefore recommend our friends to use all expedition in getting up *groupes* and preparing characters for the occasion. From the late showers of rain that have fallen, we think we may safely augur a cool and pleasant evening for the approaching festivity, and we hope that this close of the gay season may finish with eclat and credit to the *Lamentables*.

The names of the President and Stewards of the Bachelors' Ball, are—

LIEUT. COL. MARLEY, PRESIDENT.

STEWARDS.

Mr. B. MARTIN,	Capt. HONEYWOOD,
Col. STEVENSON,	Mr. RICKETT,
Mr. WALPOLE,	Mr. PEMBERTON,
Capt. Hon. G. KEFFEL,	Mr. W. JACKSON,
Mr. S. FRASER,	Mr. A. PRINSEP,
Mr. FORBES,	

Kishnagur District.—Since our last publication, we have received another communication from the Kishnagur District, relative to the fate of Mr. Frazer, then alluded to, which differs somewhat in particulars, although it furnishes no additional results of subsequent investigation. It runs thus:—

"A gentleman of the name of Frazer, lately in the employment of Mr. Blunt, in the District of Kishnagur, was a few days ago on his way up from Calcutta to join Bhatparra and Indigo Concern, in the vicinity of Mr. Blunt's, to which he was recently engaged as an Assistant. On passing through Mr. B's concern, which he quitted only in September last, he was, it is supposed, waylaid near

the village of Kannnagpur, and has thus fallen a victim to a grudge which the people in that quarter had against him. As he was travelling on horse back at the time. The horse on which he rode was found near the said village, and his hoof marks were traced to a sandy spot on the road, which spot showed evident traces of a conflict having taken place upon it. The hoof marks of the horse were distinguished among other traces, as if the animal had been forced to turn confusedly round and round. At all events no traces of the missing gentleman have yet been, nor is it expected that any will ever be, discovered.

"So dreadful is the state of the District at present, that even the most confident amongst us cannot help being straggled at the instances of cold-blooded atrocity, which have lately occurred."

Opium.—By accounts from China, dated 26th January, we learn that Patna Opium was at 2300, and drooping every day.

"Cotton has notwithstanding the smallness of the Importations been dull during the whole of the season, but has lately taken some advance and will probably do well, if only small or moderate shipments take place."—*India Gazette.*

Hindoo College Meeting.

HELD AT CALCUTTA ON SUNDAY, FEBRUARY 16, 1823.

On Sunday the 16th of February, a Meeting was held at the Hindoo College, at 8 o'clock P. M. of which the following is an account:—With a view that a Society be formed, concerning the Learning and Improvements of the Natives of this Country several of the intelligent and respectable Inhabitants of this City were invited to attend, and the names of those who appeared at the appointed time, and the conversation that passed among them are given as follows:—Shreezoot Ramjoy Turkulunker, Shreezoot Oomanundun Thakoor, Shreezoot Chondra Comar Thakoor, Shreezoot Dwarakanath Thakoor, Shreezoot Radamadh Bundonadhaya, Shree Prusunno Comar Thakoor, Shreezoot Caushee Kannt Ghosani, Shreezoot Causeenoth Turkupunchanun, Shreezoot Gourmohan Vidyalunker, Shreezoot Lukheerain Mookhopadhayn, Shreezoot Sheevchurn Thakoor, Shreezoot Vishunoth Motteeloll, Shreezoot Tarachand Chuckrobhuty, Shreezoot Bhavneechurn Bundonadhayn, Shreezoot Ramdoololl Day, Shreezoot Radhaeant Deb, Shreezoot Kalachand Bose, Shreezoot Ramchondra Ghose, Shreezoot Ramcomul Sein, Shreezoot Causeenoth Mollick, Shreezoot Veerashur Mullick, Shreezoot Russomoy Dutt, and many other learned persons: and after they had taken seats, Radhaeant Deb moved, that Ramcomul Sein, will act as a Chairman of this Meeting. Oomanundun Thakoor seconded the motion, Ramcomul Sein, thus addressed the meeting,—"Sir, an address has been prepared showing the disadvantages under which we labour for want of a society, and the benefits that may be derived from an institution of it. Should it be permitted the above address may be read." This being unanimously agreed to, Gourmohan Vidyalunker Bhattacharyn, read the introductory address to the meeting. After attending to it, almost every person expressed their opinion, that it would be beneficial to our country, if a society should be formed, and, it being a commendable object, proposed to give his consent to it. Shreezoot Radhamadh Bundonadhayn asked what was the original cause of our not having had a Society for so long a time? To which several persons gave different answers. Shreezoot Russomoy Dutt said, if it be the object of the meeting to introduce improvements in the way of literature, I would interest myself in it; but should the meeting have any political views, or offer any defence to an abusive exposure of our religion, I would have nothing to do with the society. Shreezoot Causeeant Ghosani was of the same opinion. Oomanundun Thakoor said, that should any one publish any work abusing our religion, a defence must be offered thereto. Radhaeant Deb seconded this expression. Shreezoot Ramdoololl Deb offered his opinion, that the introductory address of the meeting be printed and circulated every where, that every person may offer their opinion after a consideration. Shreezoot Bhavane Churn Bundonadhayn said, it ought to be considered how prosperous it would be when this society shall have been fully instituted; even to-day we felt very happy from meeting together and conversing with each other. Ramjoy Turkulunker and Causeenoth Mullick approved of this expression. After all the discourse was over, Ramcomul Sein asked, who was to be appointed Secretary to the Committee. Radhaeant Deb said, that Ramcomul Sein be appointed Secretary. Oomanundun Thakoor supported this opinion. Ramcomul Sein then observed, that it was his intention that Prusunno Comar Thakoor should be nominated Secretary. It was afterwards resolved, that they both should hold the Secretaryship. Resolved, that the Introductory Address which was read, be printed and published with an account of this day's meeting, in the form of a pamphlet; and another Meeting should be held on Sunday next, and rules for managing the affairs in view should be laid down.—*Sumachar Chandrica of March 3, 1823.*

Colombo Supreme Court.

SUPREME COURT,—COLOMBO, FEBRUARY 1, 1823.

In opening the Session the Chief Justice pronounced the following Address to the Magistrates assembled.

Gentlemen Magistrates of the District of Colombo.

I have now for the fourth time the honour of addressing you upon opening the first Criminal Session of the year.

On the last occasion we had the gratification of being able to record a continuing decrease in the number of the offences brought under the cognizance of this Court.

The present I am sorry to say presents a less pleasing picture: the number of Committals and convictions for 1822 having exceeded those of 1821; though the number of Convictions has been below the average of the five preceding years.

The Committals in 1822 were 215, and of Convictions 67; the Committals of 1821 were but 161, and the Convictions 45; but the average of the five preceding years had been 205 Committals, and 73 Convictions.

It is not in the district of Colombo however that this increase is principally to be found, the Southern districts of the Island furnish by far the greater proportion and from the last returns I am sorry to observe that this proportion rather encreases than diminishes in those districts.

It will of course be our duty to investigate, as far as we can, the causes of this encrease, in the course of the approaching Circuit.

Circumstances which have lately come to the knowledge of the Court seem to render it expedient to recal to your recollection, the extent and boundary of your Jurisdiction as Magistrates.

That Jurisdiction is founded upon several Government Regulations, originating in the 49th clause of the Charter of Justice, which also created this Court and its Jurisdiction.

The cognizance of "inferior offences and disorders against the Police" had previously belonged to the Fiscal; and by the proclamation of 22d September 1799, these were made triable before the Fiscal, or such other Magistrates as the Governor should think fit to appoint evidently with a view to the intended establishment of Magistrates in the nature of Justices of the Peace.

By the Proclamation of June 21, 1806, the Fiscal's Court, consisting of that officer and two associates was established, and power given to it to try "Common assaults and trespasses against individuals or the police, and thefts not exceeding the limits of 'petty larceny,'" which by the law of England is theft of property not above twelve pence in value.

This power is by the Proclamation of February 20, 1801, extended to all cases of *theft and larceny*.

By a farther Proclamation of 30th July 1801, the powers of the Fiscal's Court were further enlarged very considerably and extended to all offences excepting "High and Petty Treason, Murder, unnatural Crimes, Rape, Incest, Plagiarism, Burglary, Highway, Robbery with cruelty, corruption in Magistrates, Forgery above 200 Rix Dollars, Coining, and Perjury not committed in 'the Fiscal's Court.'"

The extended Jurisdiction thus given to the Fiscal's Court by these two Proclamations, was therefore upon all cases of theft and larceny, and offences ranking above inferior offences and disorders against the Police, and below the class of Crimes just now enumerated.

But by the Proclamation of February 13, 1802, announcing the Charter of Justice, these two Proclamations were repealed and the extended Jurisdiction taken away.

The Charter, in the 49th Clause, had saved the Jurisdiction of the inferior Magistrates over all "inferior offences, breaches of the peace and disorders against the Police;" and to the consideration of these they were thus limited by the repeal.

It will be seen, that this rather encreased the original Jurisdiction of these Magistrates, by adding *breaches of the peace* to the list.

The Charter having given to the office of Fiscal the duties of a Sheriff, it became necessary to establish a new Magistracy to discharge the duties formerly executed by the Fiscal; and by His Majesty's Instructions Justices of Peace were directed to be Commissioned, with powers as nearly as possible resembling, those of similar Magistrates in England; and by the Proclamation they were directed to perform the Magisterial functions exercised by the Fiscals.

Some time after, in 1805 the Criminal Jurisdiction of Provincial Courts was established.

Saturday, March 8. 1823.

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And to the Provincial Judges presiding in these Courts, as well as to Sitting Magistrates, was given by Regulation No. 1, of that year, the power stated in the Charter over "all inferior offences breaches of the peace, and disorders against the Police," words which have been adopted in every subsequent Regulation, concerning these Judges and Magistrates.

I have gone into this detail, with a view to ascertain what may be the inferior offences, &c. thus subject to their Jurisdiction.

It is obvious that they cannot include the offences from which the Jurisdiction of the Fiscals was excluded by the Proclamation of July 1801.

Nor can they include those cases of theft or larceny, which formed the extended Jurisdiction of February 1801.

But they must be reduced to that class of offences the cognizance of which in the words of the Proclamation of 1799 "formerly belonged to the Fiscal."

What that Class precisely included, we have no means of exactly ascertaining from the documents I have cited: We only find by the Proclamation of 1799, that petty larceny was the highest species of theft punishable by the Jurisdiction.

It therefore became necessary to enquire what the powers of the Fiscals were under the Dutch Government.

Upon reference to the officers of the Court whose duty it is to furnish such information, we find that the Fiscal in his character of *Daily Justice* tried and punished *trespasses, affrays, quarrels and petty larceny*, which with the powers he exercises for preventing smuggling, formed his whole Criminal Jurisdiction.

These therefore appear to be the limits of the Jurisdiction committed first to the Fiscal under the Proclamation of 1799, and from him transferred, upon the change of the name, with the addition of *breaches of the peace*, to the Sitting Magistrates by the Proclamation of February 1802, and to Provincial Judges by the Regulation of 1805.

The addition of *breaches of the peace* does not appear either to extend or elucidate the nature of this Jurisdiction almost every offence by the Law of England includes a breach of the peace actually or constructively; but in this instance, these words must be held to mean an actual *breach of the peace*, without any circumstances which might give the offence any other more specific character.

I state it in this way, because we have reason to know, that Sitting Magistrates have tried and determined cases of alleged *Label*; which at the utmost, can be considered as only constructive breaches of the peace, but which besides have of themselves a distinct name and character.

The trial of one species of constructive breach of the peace has indeed been committed to Provincial Judges and Sitting Magistrates Jurisdiction, by Regulations of Government, I mean of Perjury committed in their own Courts; but this fact, by no means warrants a further extension of the Jurisdiction.

It is the duty of this Court, confided to it by the 82d Section of the Charter "to exercise a general controul and superintendence over all Justices of the Peace, &c. and to preserve them within the limits of their Jurisdiction," and it is in discharge of this duty, that I have now occupied your attention.

It is true indeed, that there has been manifested at times, some degree of impatience of that controul, however kindly and temperately exercised; this we must lament; but the cause we can easily understand; those who have not had a legal education, are apt to imagine, that any reversal or restraint of their Judicial proceedings exhibits a want of confidence in their conduct, at which quick tempers feel uneasy; but the mind of a British Lawyer is very early accustomed to such restraint he sees throughout the whole system of his Jurisprudence, a continued series of check and controul on the exercise of Judicial functions, the whole Magistracy of England is subject to the Court of King's Bench; that Court is subject to the controul of Courts of Error, both in and out of Parliament; in short, a vigilant jealousy of the exercise of power runs throughout the whole frame of our constitution, and none, not even the highest Minister of the Crown, are exempt from its operation.

And a Judge who seeks his own case, would court rather than regret, a revision of his proceedings: the best and wisest feel most gratified at having their sentences appealed from; the load which is unavoidably felt by a man who is conscious that he is not infallible, is thus lightened; and his determination, if sanctioned by the ultimate tribunal must give him a satisfaction, which he would not otherwise enjoy or if reversed, must relieve him from all further responsibility.

It may be said, that this Court decides without appeal in Criminal cases.

Fortunately for the present Judges, they have in such cases the aid of a Jury, which affords perhaps even a safer, and certainly, a speedier

kind of controul, than any Court of Appeal could furnish; and those who know this Court before the establishment of that institution can testify, with what severity, the necessity of deciding without such aid, pressed upon the feelings of the most learned and conscientious of our predecessors.

I trust that what I have said will remove this sort of feeling, if it shall have survived to this time, and that the necessary exercise of our controuling Jurisdiction, will not be felt by any Magistrate, otherwise than as relieving him from a portion of very oppressive responsibility.

Bombay Club.

ESTABLISHED IN LONDON IN MAY, 1822.

Regulations, &c. &c.

1st.—That the Club be opened to all branches of His Majesty's and the Honourable Company's Service, and to all Gentlemen who have been in Bombay, or any of its Dependencies.

2d.—That the Pulteney-Hotel, Piccadilly, be the Club-house; and that the superb room on the ground-floor, looking into the Green Park and commanding an extensive view of the Queen's Palace, St. James's Palace, Westminster Abbey, &c. be appropriated exclusively to the Members of the Club.

3d.—That every Member shall be admitted by Ballot. The name and address of every Gentleman requiring to be admitted a Member, shall be entered in the nomination Book in the Club-room by the Member who recommends, seconded by two others, ten days previous to the Ballot; eight Members at least shall vote, and two negatives exclude the candidate.

4th.—That the benefit of the Club-room being more especially beneficial to Gentlemen on their immediate arrival from India, the Secretary be authorized to receive letters (post paid) addressed to him at the Club-house, from Gentlemen in Bombay, who may be desirous of becoming Members; each letter shall contain the Candidate's Christian and Surname at length, his title and profession, and the time he has been under the Bombay Presidency. And shall likewise contain the name and address of some person residing in London, or its vicinity, who will pay the entrance money on demand; and which shall be satisfactory to the Committee.

5th.—That the name of every Candidate, approved by the Committee, shall be entered in the Nomination-Book by the Secretary. The Ballot to be in all respects conformable to Rule 3d.

6th.—That the management and control of the matters relating to the Club, be vested in twelve of its Members, including a President, a Secretary, and Treasurer, forming a Committee, three of whom shall constitute a quorum.

7th.—That the Club-room be provided with daily and weekly papers, pamphlets, periodical publications, maps, books of reference, reviews, stationery, &c. for the use of the Members.

8th.—That every Member shall pay three guineas entrance on his election. But, when the Members amount to eighty, exclusive of those in India, the entrance money shall be increased to five guineas.

9th.—That every Member shall also pay an annual Subscription of three guineas,* on or before the 1st of May, in advance; excepting Members who may return to India within nine months of their election, who shall only pay a guinea and a half; those who return within three months to pay no Subscription; nor shall any be paid by Members while in India.

10th.—That the Secretary and Treasurer shall receive the entrance money and subscriptions, and be empowered to call on Members for those in arrear. No Member shall vote on any question, or be allowed the privileges of the Club-room until his Entrance money and Subscription are paid.

11th.—That any Member wishing to withdraw his name from the Club, shall notify his intention to the Secretary in writing, on or before the commencement of the current year; otherwise, he will be expected to pay the subscription for that year.

12th.—That the Committee shall call a General Meeting of the Club, on a writing requisition signed by five Members. The requisition to state distinctly the purpose for which the Meeting is to be called, and shall be addressed to the Secretary, to be by him delivered to the Committee, at least ten days before the meeting is required to be held.

13th.—That every Member may address any communication in writing to the Secretary, tending to promote the interest of the Club;

* Three guineas, per annum, is about two pence a day, being the sum paid by many Gentlemen for one newspaper for an hour. Nothing can demonstrate the advantages of the Club-room more than this fact.

the Committee shall, however, exercise their discretion in attending to it, or otherwise.

14th.—That the Club dinners be on the first day of every month; but if that day should fall on a Sunday, the dinner to be on the Monday following.

15th.—That dinner be on table, precisely at six o'clock, from the 1st of October to the 1st of April, and at seven during the remaining months.

16th.—That the attendance of Members at dinner be optional.

17th.—That every Member intending to dine at the Club, shall enter his name in the dinner-book in the Club-room, or shall notify his intention by letter, (post paid,) to the Master of the Hotel, at least one day previously to the dinner-meeting, under a penalty of half-a-crown; and, having given that notice, to pay eight shillings, (being a share of the dinner,) whether present or not.

18th.—That members be allowed to bring two friends, giving notice as above, and subject to the same penalty for each friend.

19th.—That the charge for dinner shall not exceed eight shillings each person,* exclusive of wines, which shall be Madeira, Sherry, Buckellias, Port, and Claret, and no others, excepting on the anniversary of the Club.

20th.—That the President, Vice President and the Secretary, shall have the entire management of the Dinner-meeting; no other Member to give any directions to the waiters. The Secretary, or his proxy, shall order the wine, and keep a particular account of the quantity put on the table.

21st.—That the bill be invariably called for and discharged at nine o'clock, between the 1st of October and the 1st of April, and at ten during the remaining months; at which hour the President is to be at liberty to quit the Chair. Any Member leaving the table before those hours, to deposit a sovereign with the Secretary, or in his absence with his Proxy, to defray his share of the dinner expenses.

22d.—That the Anniversary of the Club be held on the 4th of May instead of the 1st, to commemorate the indefatigable exertions displayed by the Bombay Army, in the gallant and important conquest of Seringapatam.

23.—That Members be permitted to breakfast in the Club room, provided it be cleared by ten o'clock. Members may also dine in the Club-room between the hours of five and seven in Winter, and five and eight in Summer.

24th.—That every Member be at liberty to introduce one friend to the Club-room on any day, to breakfast, at dinner, and at tea, subject to the Rules in every particular.

25th.—That every Member, or Gentleman, who may remain in the Club-room after twelve o'clock at midnight, shall pay sixpence each, to the Master of the Hotel; and every person who may remain in the Club-room until one o'clock, to pay a shilling each, and so on progressively increasing one shilling each person for every subsequent hour.

26th.—That a General Meeting of the Club shall be held in the Club-room, at twelve o'clock on the first of May every year, when the Treasurer's accounts shall be balanced and laid before the Members,—a new Committee be appointed,—the Presidents and Vice-Presidents for the ensuing year be elected,—and the general business of the Club be settled.

27th.—That no Member shall be compelled to President or Vice-President, more than once in each year; but any Member who may be nominated a President or Vice-President at the general election, shall either perform the duty, or procure a Member to act for him in that capacity, under a penalty of one guinea.

28th.—That every Member particularly requested to leave his town and country address with the Secretary, who will enter them in a Book to be lodged in the Club-room for the general convenience of the Members.

29.—That all letters addressed to the Secretary shall be post paid, and that the Secretary shall either return all unpaid letters to the writers or charge them with the postage.

30th.—That any infringement of the foregoing Rules shall be decided on by the Committee subject to an appeal to the General Meeting of the Club, which shall be final.

31st.—That the Committee do consist of the following Gentlemen:

President—JOHN MORRIS, Esq.	
Colonel GORDON.	Major CARNAC.
WILLIAM SIMPSON, Esq.	Captain GRINDLAY.
H. ROBINSON, Esq.	_____
P. COYNE, Esq.	_____ } 3 Vacant.
I. G. REMINGTON, Esq.	_____

Captain J. HAWKINS, Sec. and Treasurer.

* By reference to the accounts of the old Bombay Club, it appears the average charge for dinner and waiters, exclusive of wine, exceeded one guinea.

Extra Members of the Committee while in England.

MAJOR HARDY and CAPTAIN BARTON.

32d.—That the following are the established prices agreed on, between the Master of the Club-house and the Committee:

	£.	s.	d.
Club dinners of three courses, and a desert.....	0	8	0
Dinner for one Member in the Club-room	0	3	0
Ditto with soup.....	0	4	0
Ditto.....fish.....	0	6	0
Ditto.....soup, fish, and tarts.....	0	8	0
Beds for single Gentlemen.....	0	3	0
Ditto.....Servants.....	0	1	0
Tea or Coffee.....	0	1	6
Breakfast, without eggs or meat.....	0	2	0
Ditto, with meat, (eggs, per price of the day,).....	0	2	6
Port Wine, per bottle.....	0	7	0
Madeira.....	0	10	0
Bucellias.....	0	6	0
Sherry.....	0	7	0
Claret.....	0	11	0

Pints at half of the above prices.

Apartments for Families, according to the number and elegance of the rooms, during the season, (1st April to 1st July) from five to thirty guineas per week.

Other parts of the year from three to fifteen guineas.

33d.—Every stranger introduced by a Member into the Club-room at breakfast, dinner or tea, to pay sixpence per meal extra, excepting the Club-dinners.

34th.—That the Regulations be printed, and a copy be immediately distributed to every Member; and that 100 copies be sent to that Presidency, to be by them distributed at their discretion,

J. HAWKINS, Secretary and Treasurer.

LIST OF THE MEMBERS.

Corrected to August.

Benfort, Esq.	Hogg, Lieut. Colonel	Robertson, H. Esq.
Barton, Captain	Jacob, Lieutenant	Roe, Captain
Carnac, Major	Johnson, Lt. Col. C.B.	Roome, W. Lieut. Col.
Carpenter, Lieut. Col.	Lawrence, Lt. Genl.	Rose, Captain
Christie, D. Esq.	Lester, Captain	Sandwith, Major
Coats, T. Esq.	Living, Captain*	Simson, W. Esq.
Cowper, Lieut. Col.	Livingston, Captain	Smith, John, Esq.
Coyne, P. Esq.	Melville, Captain	Smith, Lieut. Colonel
Crawford, W. Esq.	Midford, Major	Smith, Major*
Davies, T. H. Esq.	Milward, Esq.	Seppitt, Captain
Farquharson, Captain	Mingay, Capt. R. N.	Skinne, General
Fisher, Captain	Moffat, Captain	Taylor, Major
Gordon, Colonel	Morris, John, Esq.	Thomas, Captain*
Gordon, Captain	Morris, Lieutenant	Torin, R. Esq.
Grant, Lieut. General	Mylne, Captain	Torin, R. jun. Esq.
Griudlay, Captain	Nugent, Colonel	Tovey, Major
Hamilton, E. F. Capt.	Ogilvy, Captain	Towsey, Captain
Hallet, J. Esq.	Page, Captain	Waddington, Lieut.
Harding, Major	Palmer, T. Esq.	Whitehill, Major
Hardy, Major	Remington, I. G. Esq.	Williams, M. Lt. Col.
Hawkins, Captain		Wiekins, Captain

* Returned to India.

Shipping Departures.

CALCUTTA.

Date	Names of Vessels	Flags	Commanders	Destination
March 6	Margarita Rosa	Portg.	M. F. Marquis	Macao
	Irma	French	J. Jewellery	Bordeaux

Stations of Vessels in the River.

CALCUTTA, MARCH 6, 1823.

At Diamond Harbour.—CONDE DO RIO PARDO, (P.) inward bound, remains.—ENTERPRENANT (F.), outward-bound, remains.

Kedgerce.—LORD WELLINGTON, (P.), outward-bound, remains.—SUN, (brig), proceeded down.—SIR EDWARD PAGET, THAMES, and ELIZA, passed down.

New Anchorage.—H. C. Ships GENERAL HEWETT, and THAMES.

Sauger.—DAVID SCOTT, and NERBUDDA, outward bound, remain.—MERCURE, (F.), ARAM, FRANKLIN, (AMFRO.), JOHN SMORE, (brig), and LOUISA, (brig), gone to sea.